

A regular meeting of the Lysander Town Board was held at 7:00 p.m. on March 11, 2013 at 8220 Loop Road, Baldwinsville, New York.

**MEMBERS PRESENT:** John A. Salisbury, Supervisor  
Melinda Shimer, Councilor  
Andrew O. Reeves, Councilor  
Russ W. Johnson, Councilor  
Arthur C. Levy, Councilor

**MEMBERS ABSENT:** None

**OTHERS ATTENDING:** Anthony P. Rivizzigno, Town Attorney; Al Yager, Town Engineer; Eugene Dinsmore, Highway Superintendent; Frank Costanzo, member of the Z.B.A.; Hugh Kimball and Fred Allen, members of the Planning Board; Lisa Dell, Town Clerk, Pac-B and several residents.

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*During the work session held before the meeting, at 6:30 pm, a motion was made by Councilor Reeves, second by Councilor Shimer to adjourn to enter into Executive Session to discuss personnel matters. At 7:00 pm the Board returned to the regular meeting. No action was taken.*

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**TO CONSIDER ADOPTION OF A LOCAL LAW TO AMEND THE TIMBER BANKS GENERAL PROJECT PLAN (GPP)**

Notice of said Public Hearing was duly published in The Baldwinsville Messenger on February 20, 2012, with same being posted on the Town Clerk's sign board at the Town Hall and on the Town's website on February 20, 2012, for the purpose of hearing all persons for or against the amendment of the General Project Plan (GPP) for the Planned Unit Development (PUD) known as "The Timbers" said amendment to allow for the use of recreational facilities.

*The Public Hearing was called to order at 7:07 pm and was held open to go over the agenda first as James Trasher, Engineer for Clough Harbor & Associates, representing The Timbers, LLC, was not present yet.*

*At 7:26 hours, Mr. Trasher arrived and the public hearing began.*

Mr. Trasher addressed the Board and presented a complete General Project Plan (GPP) document with all amendments including the proposed amendment no. 3. Mr. Trasher also displayed a use map for the project that governs where the difference uses within the facility would be from the golf course, marina, and different residential, from low density to high density, including where they are proposing community recreational.

Mr. Trasher then explained that The Timbers, LLC, is proposing Planned Unit Development (PUD) modification to approximately 12.6 acres of the existing Timber Banks subdivision. This will be amendment no. 3 to the General Project Plan (GPP) when they are looking at to add community recreational to the GPP. That would allow for the construction of different type of recreational facilities should the Board move forward, site application would go in for a proposed YMCA on the land. The YMCA will be approximately 76,000 square feet with associated parking and all the other amenities. Mr. Trasher commented that it ties in well with the overall development and this rounds out what Mr. Pooler would like to have at The Timbers.

Mr. Trasher then entertained questions from the audience.

Councilor Levy asked what would be the proposed use of the large parcel south or east of the power lines.

Mr. Trasher said that they would look at that in the future for community recreational as well and can be used in association with the YMCA, such as open fields, or a future Town park. At this time there are no plans for this parcel and currently the land is being used for farming adding that Mr. Pooler has a contract to continue farming the land for the next few years. The power lines that cut through it became an obstacle for the YMCA to be built there. After conversations with National Grid about relocation it was not desired based on cost as it is distribution line.

Councilor Levy asked if the parcel south of the YMCA will remain part of Timber Banks and Mr. Trasher said yes, that it is owned by The Timber, LLC.

*Lysander Town Board regular meeting  
March 11, 2013*

**Nancy Thomas, Plainville Road**, addressed the Board and asked if the YMCA is being reduced from a 98,000 square foot facility to a 76,000 square foot facility what is being eliminated?

**Mr. Trasher** explained that it a plus or minus 76,000 square foot footprint. There is a portion of the building that is two stories with another 22,000 square feet, for a total of 98,000 square feet, plus or minus useable space.

**Hal Welch, Executive Director of the Greater Syracuse YMCA**, explained that nothing has changed as far as size and there will still be an aquatic center.

**Councilor Levy** asked if the Belgium Cold Springs Fire Department has been involved.

**Mr. Trasher** explained that site plans and subdivision plans were submitted today for this so they can start the process with the Planning Board. Until the zone change is acted upon, their hope is to be in front of the Planning Board on March 21, 2013 and then start working with the fire department in terms of anything they need. They accounted for access to three sides of the building, fire hydrants, working with OCWA, water connections and a fully sprinkler building.

**Steve Darcangelo, Patchett Road**, presented a letter to the Town Clerk from **Joel Plumley, resident of Patchett Road**, and requested that it be made a part of this public hearing. (*Letter is attached*)

**Mr. Darcangelo** then addressed the Board and expressed the following concerns:

- That he read in the amendment that there is no increase in density. He does not know how this will be done because it shows that they are putting the same number of units on a smaller piece of property and by the true definition of density, it is an increase. By the definition that is generally used in land use planning and land use development, they talk about density as a subdivision or development possibly. Generally when it is said when there is no increase in density in a situation like that, it is because we have taken a piece of property and have allocated it to something that would not be utilized for an activity so it would be something such as green space or a park. In this case they are taking a piece of property and turning it into a YMCA. He does not think that the conversion of that property and being used as a YMCA and then taking the parcels that would have been developed on that lot and moving it to another piece of property, even in the definition of land use planning or land use development, would be considered no increase in density.
- That his biggest concern is traffic along River Rd and the potential increase. Has a concern that the amendment references an appendix A which is a letter addressing traffic and he could not find that letter. The old traffic study is included and did not see anything in the amendment addressing the increased traffic as the result of a YMCA being built. He asked that traffic being taken into consideration and a traffic study needs to be redone. If one reads the old traffic study it talks about the very little increase in traffic because the majority of people living in Timber Banks will be serviced by activities in Timber Banks. Retail space would not draw in much other people, they would be serving those in Timber Banks and people in Timber Banks would be working within Timber Banks. He doesn't know if that has become a reality, he does not think it has. He doesn't know if the development continues to think that this is the direction they are going in. If it is not, he thinks the traffic study should be reevaluated with that consideration as well what traffic the YMCA is going to bring to River Road and the intersection at Hicks Road and Hayes Road at Route 370.
- That it was previously stated that there was no need for an entrance or egress onto Patchett Road from this development and then restated that there may be one if there is a need for emergency vehicle. He now learns today that there will be a road onto Patchett Road for 600 units. Patchett Road is two lanes, no lines, scenic, not asphalt and that would be an awful lot of traffic to be putting onto that road. It also does a disservice to the residents that have lived on Patchett Road for many years.

**Mr. Trasher** replied that the traffic study has been updated and has been submitted to the NYS Department of Transportation and they are waiting for comments. He apologized for it not being attached to the amendment.

**Mr. Darcangelo** commented that the NYS DOT are going to have a hard time understanding some of the assumptions that were made regarding the development are true and he hopes that the Town Engineer takes into consideration to whether or not those assumptions look as though they are going to pan out.

**Mr. Darcangelo** also expressed his concern as to why this use was not planned for and why was it not part of the original development for this property such of this to be dedicated for this type of use. If this rounds out the vision for Mr. Pooler for the entire parcel then he finds it hard to believe with all the planning that went into

*Lysander Town Board regular meeting*

**March 11, 2013**



this, with all the money that was spent for engineering services that something like this wasn't taken into account. Now it is being presented and is causing an amendment to the original plan. His opinion is change is self-imposed and he doesn't know if anyone has forced Timber Banks to take the YMCA into their property and believe there were other options. He thinks that they have a choice, so therefore this change is self-imposed. Being self-imposed it should not be recognized as any type of a compensable hardship on part of the development. He does not see a need to compensate them for any changes that are imposed as a result of this development.

**Barb Raymond, Patchett Road**, addressed the Board and expressed the following concerns:

- That River Road cannot support the increased traffic.
- That side drive byes need to be put at the new entrance or there will be accidents.
- That the Patchett Road, Hicks Road and River Road intersection is not safe and cannot handle the increased traffic.
- That the electric service was not fully extended down River Road to the Patchett Road intersection and just stopped just short of Doyle.
- That the plans do not show they type of lighting that will be installed and her property abuts to the parcel and she does not her view obstructed by the lighting.

**Elizabeth Quilter, Whisper Ridge**, addressed the Board and read a letter on a behalf of Rina DiFrancesco, a resident of Timber Banks that is in favor of the proposed facility in the Timber Banks Development. (*Letter attached*)

**Chris Walsh, River Road**, addressed the Board and expressed her interest in seeing a very speedy end to the process of negotiating around the new, Baldwinsville YMCA and that the community needs a hub, such as the YMCA, to bring the outskirts of Baldwinsville together.

**Hugh Kimball, Dexter Parkway**, addressed the Board and wanted to make a clarification that the letter from Onondaga County Planning addressed the GPP and zone change, not the site plan.

**Nick Spagnoletti, Patchett Rd**, addressed the Board and expressed his support for the building of the YMCA. He does not foresee a traffic problem but expressed his concern for the current posted speed limit.

**Tim Bodah, River Road**, addressed the Board and expressed the following concerns:

- The increased traffic on River Road.
- The current posted 55 mph speed limit.
- How will it affect the property values.

**Steve Darcangelo, Patchett Road**, addressed the Board and clarified that his comments were to the plans and not against the YMCA.

**Supervisor Salisbury** commented that although this public hearing is not about the YMCA being built but out of courtesy he still allowed comments concerning it. He also believes that Mr. Pooler sees the YMCA as a benefit to his development that housing sales will probably go faster and it would not affect the property values.

*The Public Hearing was closed at 7:57 hours.*

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#### APPROVAL OF MINUTES

**RES. #44/2013** Motion by Johnson, Second by Reeves

**RESOLVED** that the minutes from the regular Town Board meeting of January 28, 2013 and February 11, 2013 be approved.

**VOTE:**

|                      |     |                   |     |                |         |
|----------------------|-----|-------------------|-----|----------------|---------|
| Supervisor Salisbury | Aye | Councilor Shimer  | Aye | Councilor Levy | Abstain |
| Councilor Reeves     | Aye | Councilor Johnson | Aye |                |         |

**Four Ayes, Motion Carried and Adopted**

*Lysander Town Board regular meeting  
March 11, 2013*

## TOWN BOARD COMMENTS

**Councilor Levy reported** that it was previously established that funds will be held in reserve for monies that were not spent by the Canton Wood Senior and these funds have accumulated to approximately \$19,000. The Center wants to do a small energy saving project at a cost of approximately \$800 and the other request is to put in a new fire alarm system, possibly with security. The current fire system is not up to code. The estimates are coming in between \$10,000 and \$12,000.

## SUPERVISOR COMMENTS

None

## DEPARTMENT HEAD REPORTS

### **Town Clerk:**

**Lisa Dell** reported the following:

- Timber Banks have applied to NYS for renewal of their liquor license for their Snack Shack and for their Tent.
- Radisson Greens have applied to NYS for a new liquor license for their clubhouse.
- The Town Clerk's Office participated in Passport Day on Saturday, March 9, 2013. The event was very successful. 21 applications were processed.
- Just a reminder to the public that the Town Clerk's Office has extended hours on Mondays until 6 pm and appointments are always accepted for anyone that cannot meet the regular business hours.
- On February 28, 2013 the Annual Financial Report for fiscal year ending December 31, 2012 was filed in the Town Clerk's office by the Comptroller. A copy is available for public inspection on the Town's website and in the Town Clerk's office.

## CITIZEN COMMENTS ON AGENDA ITEMS

### NEW TOWN POSITIONS

**Kevin Rode, Ashington Drive**, addressed the Board and asked if Dan Boccardo is still the current Dog Control officer and **Supervisor Salisbury** said that yes, he was.

**Mr. Rode** asked if this newly appointed position would be one with benefits because he currently holds two part time positions. **Supervisor Salisbury** replied that he is eligible for benefits.

**Supervisor Salisbury** explained that it is no additional benefits because the person that was his secretary was getting full time benefits and the person that came from the Assessor's office was also getting full time benefits so we end up with two people who are eligible for benefits.

### CRIMSON RIDGE DEVELOPMENT

**Jim Stirushnik, Dinglehole Rd**, addressed the Board and asked if there will be any designated speed limit or stop sign for this area. **Engineer Yager** explained that there will be one stop sign and the speed limit will be 30 mph as it is a cul de sac and is 100 feet long.

### THE COTTAGES AT TIMBERS SUBDIVISION

**Mr. Stirushnik** asked why there is a wastewater disposal system in this area. **Engineer Yager** explained that the DEC requires that the Town adds length to the sanitary sewer system that this application has to be filed. The Town is simply adding sewer line to the Town's infrastructure.

### OLD BUSINESS

None

### NEW BUSINESS

#### ANNUAL FINANCIAL REPORT

**RES. #45/2013** Motion by Levy, Second by Shimer

**RESOLVED** to authorize the Town Clerk to advertise receipt of the Annual Financial Report of the Town of Lysander for the year 2012. (A copy is on file in the Town Clerk's Office and is available for public inspection and copying.)

*Lysander Town Board regular meeting*

**March 11, 2013**



**VOTE:**

Supervisor Salisbury Aye Councilor Shimer Aye Councilor Levy Aye  
Councilor Reeves Aye Councilor Johnson Aye

**All Ayes, Motion Carried and Adopted**

APPOINTMENT

PART TIME CODE ENFORCEMENT OFFICER

RES. #46/2013 Motion by Reeves, Second by Shimer

**RESOLVED** to appoint Timothy W. Wolsey to the position of Part time Codes Enforcement Officer at \$25.00 per hour, for no more than 20 hours per week.

**VOTE:**

Supervisor Salisbury Aye Councilor Shimer Aye Councilor Levy Aye  
Councilor Reeves Aye Councilor Johnson Nay

**Four Ayes, Motion Carried and Adopted**

*Supervisor Salisbury reported that a number of people were interviewed for the positions that were advertised. They received more resumes that were interviewed and these are the recommendations made by the committee. After looking at resumes by some of the Town Board members, including him, the Board concurs with their recommendation.*

*Councilor Johnson commented that he was not going to support all three of these positions even though he feels they have decent candidates and great people based on what he has seen on their resumes. His concern however is a civil service issue and that he is not fully clear and convinced that one individual can serve in two capacities without one of the two being a competitive position. He is not sure what state that will put the one individual named in two of the resolutions and if indeed the Board has to retract and pull this back at a different time because it does not apply to civil service law. For this reason he will not be supporting the three appointment resolutions.*

*Supervisor Salisbury felt that this issued was cleared up in their work session, he feels comfortable with the appointment, the Town Attorney has also checked into this matter and feels it is not a problem.*

APPOINTMENT

PART TIME CODE ENFORCEMENT CLERK

RES. #47/2013 Motion by Reeves, Second by Shimer

**RESOLVED** to appoint Timothy W. Wolsey to the position of Part time Codes Enforcement Clerk at \$14.50 per hour, for no more than 19.5 hours per week.

**VOTE:**

Supervisor Salisbury Aye Councilor Shimer Aye Councilor Levy Aye  
Councilor Reeves Aye Councilor Johnson Nay

**Four Ayes, Motion Carried and Adopted**

APPOINTMENT

ADMINISTRATIVE ASSISTANT TO SUPERVISOR

RES. #48/2013 Motion by Reeves, Second by Salisbury

**RESOLVED** to appoint Daniel Boccardo to the position of Administrative Assistant to the Supervisor at \$16.25 per hour, for no more than 20 hours per week.

**VOTE:**

Supervisor Salisbury Aye Councilor Shimer Aye Councilor Levy Aye  
Councilor Reeves Aye Councilor Johnson Nay

**Four Ayes, Motion Carried and Adopted**

*Lysander Town Board regular meeting*

**March 11, 2013**

**TIMBER BANKS RESIDENTIAL AND GOLF COMMUNITY  
RELEASE OF SECURITIES**

**RES. #49/2013** Motion by Levy, Second by Reeves

**RESOLVED** to release the cash deposit of \$26,000 for Timber Banks Section 1B, Phase 3 and \$8,000 for Timber Banks Section 1B, Phase 4.

**VOTE:**

|                      |     |                   |     |                |     |
|----------------------|-----|-------------------|-----|----------------|-----|
| Supervisor Salisbury | Aye | Councilor Shimer  | Aye | Councilor Levy | Aye |
| Councilor Reeves     | Aye | Councilor Johnson | Aye |                |     |

**All Ayes, Motion Carried and Adopted**

**RESOLUTION OF NEGATIVE DECLARATION UNDER SEQRA  
IN CONNECTION WITH THE EXTENSION  
OF THE LYSANDER FIRE DISTRICT**

**RES. #50/2013** Motion by Reeves, Second by Shimer

**WHEREAS**, The Town Board of the Town of Lysander having duly considered the short form EAF presented to it in connection with the extension of the Lysander Fire District pursuant to Town Law Article 11 upon the dissolution of the Smokey Hollow Fire Protection District within the Town of Lysander pursuant to General Municipal Law Article 17A;

**NOW, THEREFORE IT IS**

**RESOLVED**, that the said short EAF with both Parts 1 and 2 filled out be attached to this resolution for inclusion in the Town's Records, and it is further

**RESOLVED**, that the extension of the Lysander Fire District pursuant to Town Law Article 11 upon the dissolution of the Smokey Hollow Fire Protection District within the Town of Lysander pursuant to General Municipal Law Article 17A could not create any adverse effects as described in Part 2 section C of the EAF because the proposal entails no new construction or activity and is simply a change in the method of delivering fire protection and emergency services which is already being provided, and it is further

**RESOLVED**, that the Town issues a negative declaration in connection with the SEQRA review of this project, and it is further

**RESOLVED**, that the Town Supervisor is authorized and directed to endorse the said negative declaration on Part 3 of the short-EAF attached hereto.

**VOTE:**

|                      |     |                   |     |                |     |
|----------------------|-----|-------------------|-----|----------------|-----|
| Supervisor Salisbury | Aye | Councilor Shimer  | Aye | Councilor Levy | Aye |
| Councilor Reeves     | Aye | Councilor Johnson | Aye |                |     |

**All Ayes, Motion Carried and Adopted**

**RESOLUTIONS AND ORDER  
EXTENDING THE LYSANDER FIRE DISTRICT**

**RES. #51/2013** Motion by Johnson, Second by Reeves

**WHEREAS**, the Town Board of the Town of Lysander, having conducted a joint public hearing with the Town Board of the Town of Van Buren on January 30, 2013 for the purpose of considering the expansion of the Lysander Fire District into the whole of the area of the Town of Lysander currently designated as the Smoky Hollow Fire Protection District and into the whole of the area of the Town of Van Buren currently designated as the Northern Fire Protection District (the "Fire Protection Districts") effective January 1, 2014, hereby finds and determines and adopts the following resolutions and order:

**RESOLVED**, that the Town Board of the Town of Lysander finds and determines that the notice of public hearing for the purpose of considering the extension of the Lysander Fire District into the whole of the area of the Town of Lysander currently designated as the Smoky Hollow Fire Protection District and into the whole of the area of the Town of Van Buren currently designated as the Northern Fire Protection District upon the dissolution of the Fire Protection

*Lysander Town Board regular meeting*  
**March 11, 2013**



Districts, so that the Lysander Fire District shall be extended, effective January 1, 2014 (the “Fire District extension”), has been properly published and posted, and it is further

**RESOLVED**, that such public hearing was duly held, and it is further

**RESOLVED**, that the Town has complied with the provisions of the State Environmental Quality Review Act, and has duly issued its Negative Declaration, and it is further

**RESOLVED**, that the Fire District extension is in the public interest, and it is further

**RESOLVED**, that after such hearing and upon the evidence given thereat, the Town Board of the Town of Lysander hereby determines that all the property, property owners and interested persons within the proposed district are benefited thereby and that all property or property owners benefited are included therein and that the boundaries of the proposed extension of the Lysander Fire District shall be altered, so that all property and property owners and only such property and property owners as are benefited shall be included within its limits; and it is further

**RESOLVED**, that the Lysander Fire District has consented to the extension of the Lysander Fire District into the whole of the area of the Town of Lysander currently designated as the Smoky Hollow Fire Protection District and into the whole of the area of the Town of Van Buren currently designated as the Northern Fire Protection District upon the dissolution of the Fire Protection Districts, so that the Lysander Fire District shall be extended, effective January 1, 2014, which consent has been duly filed in the Office of the Clerk of the Town of Lysander and a copy has been attached to these Resolutions; and it is further

**RESOLVED**, that the extension of the Lysander Fire District into the whole of the area of the Town of Lysander currently designated as the Smoky Hollow Fire Protection District upon the dissolution of the Smoky Hollow Fire Protection District, effective January 1, 2014, is hereby approved, and it is further

**RESOLVED**, that the Clerk of this Municipality is authorized and directed to cause a certified copy of these Resolutions to be duly recorded in the office of the Clerk of Onondaga County and shall further, within 10 days cause a certified copy of these Resolutions to be filed with the state department of audit and control at Albany, New York, all pursuant to Town Law 173(1), and it is further

**ORDERED**, that the Lysander Fire District shall be extended into the whole of the area of the Town of Lysander currently designated as the Smoky Hollow Fire Protection District, upon the dissolution of the Smoky Hollow Fire Protection District effective 12:00 a.m. January 1, 2014.

**VOTE:**

|                      |     |                   |     |                |     |
|----------------------|-----|-------------------|-----|----------------|-----|
| Supervisor Salisbury | Aye | Councilor Shimer  | Aye | Councilor Levy | Aye |
| Councilor Reeves     | Aye | Councilor Johnson | Aye |                |     |

**All Ayes, Motion Carried and Adopted**

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**RESOLUTIONS FOR CONSIDERATION OF THE DISSOLUTION  
OF THE  
SMOKEY HOLLOW FIRE PROTECTION DISTRICT**

**RES. #52/2013** Motion by Johnson, Second by Shimer

**WHEREAS**, pursuant to General Municipal Law §773 the Town Board of the Town of Lysander, as the governing body of the Smokey Hollow Fire Protection District, a local government entity pursuant to General Municipal Law §750, may, by resolution, endorse a proposed dissolution plan for the purpose of commencing dissolution proceedings under Article 17A of the General Municipal Law; and

**WHEREAS**, upon consideration of the dissolution of the existing Smokey Hollow Fire Protection District in the Town of Lysander together with the dissolution of the existing Northern Fire Protection District in the Town of Van Buren by the Town Board of the Town of Van Buren effective March 31, 2013 and the wholes thereof being added to the Lysander Fire District effective April 1, 2013, may be in the public interest; and

**WHEREAS**, the Town Board of the Town of Lysander, as the governing body of the Smokey Hollow Fire Protection District, has received and considered a Proposed Dissolution Plan for the Smokey Hollow Fire Protection District, for the purpose of commencing dissolution proceedings under Article 17A of the General Municipal Law, a copy of which Proposed Dissolution Plan is attached to these Resolutions as Exhibit 1;

**NOW THEREFORE**, it is hereby

**RESOLVED**, that no later than five business days after adoption of these Resolutions, a copy of the Proposed Dissolution Plan, along with a descriptive summary thereof, to be displayed and readily accessible to the public for inspection in a public place or places within the Smokey Hollow Fire Protection District; and it is further

*Lysander Town Board regular meeting  
March 11, 2013*

**RESOLVED**, that the Proposed Dissolution Plan, along with a descriptive summary thereof and a reference to the public place or places within the Smokey Hollow Fire Protection District where a copy thereof may be examined, shall be displayed on the website maintained by the Town of Lysander; and it is further

**RESOLVED**, that a descriptive summary of the Proposed Dissolution Plan and a reference to the public place or places within the Smokey Hollow Fire Protection District where a copy of the Proposed Dissolution Plan may be examined, be published at least once each week for four successive weeks in a newspaper having a general circulation within the Smokey Hollow Fire Protection District; and it is further

**RESOLVED**, that the Town Board of the Town of Lysander shall convene and conduct a public hearing on April 22, 2013 at 7:00 p.m. at the Lysander Town Hall in the Town of Lysander for the purpose of considering the of the Proposed Dissolution Plan of the Smokey Hollow Fire Protection District and that notice thereof shall be given by the Clerk as required by law.

**PROPOSED DISSOLUTION PLAN**  
**SMOKEY HOLLOW FIRE PROTECTION DISTRICT**

1. The name of the local government entity to be dissolved is the "Smokey Hollow Fire Protection District" (the "Fire Protection District").
2. The territorial boundaries of the Fire Protection District is that part of the Town of Lysander and Village of Baldwinsville as described in the attached map.
3. The type of local government entity is a fire protection district under Town Law Article 11.
4. The fiscal estimate of the cost of dissolution is minimal, consisting only of the costs for legal, publication and filing fees, if any, attributable to the process of dissolution.
5. There will be no transfer or elimination of public employees in the dissolution of the Fire Protection District.
6. The Fire Protection District has no assets, including but not limited to real and personal property, other than tax collections for the fiscal year 2013 in the total amount of \$315,360.96 for a fire protection contract with the Baldwinsville Volunteer Fire Company, Inc. in 2013.
7. The Fire Protection District has no liabilities and indebtedness, bonded or otherwise, other than for the fire protection contracts for the year 2013 in the total sum of \$315,360.96; of which \$\_\_\_\_\_ will be paid to the Baldwinsville Volunteer Fire Company, Inc. for service for the period January 1, 2013 through \_\_\_\_\_, 2013 and the balance thereof in the amount of \$\_\_\_\_\_ to be paid to the Lysander Fire District for the period \_\_\_\_\_, 2013 through December 31, 2013 for fire protection and emergency services within the Fire Protection District.
8. There are no agreements entered into with the Town of Lysander in order to carry out the dissolution.
9. The manner and means by which the residents of the Fire Protection District will continue to be furnished municipal services following the dissolution of the Fire Protection District is the extension of the existing Lysander Fire District into the whole of the area of the Town of Lysander currently designated as the Smokey Hollow Fire Protection District; thereafter and effective January 1, 2014 the Lysander Fire District will provide all the same fire and emergency services currently provided by or through the Fire Protection District.
10. The Fire Protection District's assets (tax collections for 2013 totaling \$315,360.96) will be fully disbursed in 2013 for meeting all of its fire service contract obligations. There will be no further asset acquisition, liabilities or indebtedness incurred in 2013.
11. There will be no local laws, ordinances, rules or regulations of the Fire Protection District which shall remain in effect after the effective date of the dissolution or that will remain in effect for a period of time other than as provided in General Municipal Law 789.
12. The proposed dissolution shall take place at 11:59 p.m. on December 31, 2013.
13. The time and place for the public hearing on the proposed dissolution plan shall be made pursuant to General Municipal Law 776.

Dated: March 11, 2013 TOWN BOARD OF THE TOWN OF LYSANDER

**VOTE:**

|                      |     |                   |     |                |     |
|----------------------|-----|-------------------|-----|----------------|-----|
| Supervisor Salisbury | Aye | Councilor Shimer  | Aye | Councilor Levy | Aye |
| Councilor Reeves     | Aye | Councilor Johnson | Aye |                |     |

***Lysander Town Board regular meeting***  
**March 11, 2013**



**All Ayes, Motion Carried and Adopted**

**TOWN OF LYSANDER**  
**PUBLIC HEARING NOTICE**

**RES. #53/2013** Motion by Reeves, Second by Shimer

**NOTICE IS HEREBY GIVEN**, that the Town Board of the Town of Lysander, New York will meet at the Town Hall, 8220 Loop Road, Lysander, New York on the 22 day of April, 2013 at 7:00 p.m. for the purpose of conducting a public hearing upon a proposal to dissolve the existing Smokey Hollow Fire Protection District pursuant to a Proposed Dissolution Plan, at which time and place said Town Board will consider such proposal and hear all persons interested in the same.

The Proposed Dissolution Plan addresses each of the requirements of General Municipal Law section 774 and may be examined in full together with a descriptive summary thereof at the Office of the Town Clerk, Town of Lysander Town Hall, 8220 Loop Road, Lysander, New York during normal business hours, in addition to being posted on the Town of Lysander website [www.townoflysander.org](http://www.townoflysander.org).

**DESCRIPTIVE SUMMARY-PROPOSED DISSOLUTION PLAN**  
**SMOKEY HOLLOW FIRE PROTECTION DISTRICT**

The Town of Lysander is considering the proposed dissolution of the Smokey Hollow Fire Protection District, established for the taxation and funding of fire protection contracts within the within the Smokey Hollow Fire Protection District.

The dissolution would take place effective at 11:59 p.m. on December 31, 2013. Thereafter, fire protection in the whole of the Town of Lysander will become the responsibility of an expanded Lysander Fire District.

There is no expected fiscal expense to the dissolution other than the associated legal, publication and filing fees, if any.

The Proposed Dissolution Plan addresses each of the requirements of General Municipal Law section 774 and may be examined in full at the Office of the Town Clerk, Town of Lysander Town Hall, 8220 Loop Road, Lysander, New York during normal business hours, in addition to being posted on the Town of Lysander website [www.townoflysander.org](http://www.townoflysander.org).

Dated: March 11, 2013

TOWN BOARD OF THE TOWN OF LYSANDER

**VOTE:**

|                      |     |                   |     |                |     |
|----------------------|-----|-------------------|-----|----------------|-----|
| Supervisor Salisbury | Aye | Councilor Shimer  | Aye | Councilor Levy | Aye |
| Councilor Reeves     | Aye | Councilor Johnson | Aye |                |     |

**All Ayes, Motion Carried and Adopted**

**APPROVAL OF LOCAL LAW 2 OF 2013**

**A LOCAL LAW TO AMEND THE TIMBER BANKS GENERAL PROJECT PLAN (GPP),**  
**AMENDMENT NO. 3, TIMBER BANKS PLANNED UNIT DEVELOPMENT (PUD) \***

Section 1. The addition of a land use classification known as “community Recreation” to the Timber Banks General Project Plan within the Timber Banks Planned Unit Development is hereby approved;

Section 2. The amendment to the Timber Banks General Project Plan shall be known as Amendment No. 3;

Section 3. This local law shall take effect upon filing with the Department of State.

*\*Tabled*

**APPROVAL TO AMEND MINUTES**  
**JANUARY 3, 2013 REGULAR TOWN BOARD MEETING**

**RES. #54/2013** Motion by Levy, Second by Shimer

*Lysander Town Board regular meeting*  
**March 11, 2013**

**RESOLVED** to amend the minutes of January 3, 2013, Resolution No. 17/2013 and delete “Local Law 7/2012” and insert “Local Law 1/2013.”

**VOTE:**

|                      |     |                   |     |                |     |
|----------------------|-----|-------------------|-----|----------------|-----|
| Supervisor Salisbury | Aye | Councilor Shimer  | Aye | Councilor Levy | Aye |
| Councilor Reeves     | Aye | Councilor Johnson | Aye |                |     |

**All Ayes, Motion Carried and Adopted**

.....  
**CRIMSON RIDGE PHASE 3A-1**  
**SET PUNCH LIST SECURITY**

**RES. #55/2013** Motion by Reeves, Second by Levy

**RESOLVED** that the punch list security for the roadway, sanitary sewer and drainage utilities included in Crimson Ridge Phase 3A-1 Subdivision be set at \$34,000 for the following roadway.

|                |             |
|----------------|-------------|
| Street         | Length      |
| Twilight Court | 0.100 miles |

**VOTE:**

|                      |     |                   |     |                |     |
|----------------------|-----|-------------------|-----|----------------|-----|
| Supervisor Salisbury | Aye | Councilor Shimer  | Aye | Councilor Levy | Aye |
| Councilor Reeves     | Aye | Councilor Johnson | Aye |                |     |

**All Ayes, Motion Carried and Adopted**

.....  
**CRIMSON RIDGE PHASE 3A-1**  
**SET MAINTENANCE GUARANTEE SECURITY**

**RES. #56/2013** Motion by Johnson, Second by Shimer

**RESOLVED** that the maintenance guarantee security for the roadway, sanitary sewer and drainage utilities within the Crimson Ridge Phase 3A-1 Subdivision be set at \$98,175 for a period of three (3) years.

**VOTE:**

|                      |     |                   |     |
|----------------------|-----|-------------------|-----|
| Supervisor Salisbury | Aye | Councilor Shimer  | Aye |
| Councilor Reeves     | Aye | Councilor Johnson | Aye |

**All Ayes, Motion Carried and Adopted**

.....  
**CRIMSON RIDGE PHASE 3A-1**  
**ACCEPTANCE OF STREET, SANITARY SEWERS & DRAINAGE UTILITIES**

**RES. #57/2013** Motion by Johnson, Second by Shimer

**RESOLVED** that the following street, sanitary sewers and associated drainage utilities included in the Crimson Ridge Phase 3A-1 Subdivision be accepted as official town roads, subject to receipt of as-built drawings, approval of any easement and deed descriptions required by the Town Attorney and the developer posting the required securities with the Town Clerk.

|                |             |
|----------------|-------------|
| Street         | Length      |
| Twilight Court | 0.100 miles |

**VOTE:**

|                      |     |                   |     |                |
|----------------------|-----|-------------------|-----|----------------|
| Supervisor Salisbury | Aye | Councilor Shimer  | Aye | Councilor Levy |
| Councilor Reeves     | Aye | Councilor Johnson | Aye |                |

**All Ayes, Motion Carried and Adopted**

.....  
**DEEP GLADE DRIVE**  
**APPROVAL FOR CONTRACTOR TO OPEN CUT**



**RES. #58/2013** Motion by Johnson, Second by Shimer

**RESOLVED** to authorize the Supervisor to sign the agreement with developer of the Crimson Ridge Phase 3 subdivision, CR3 Development, LLC. allowing the contractor to open cut Deep Glade Drive to repair the sag in the sewer main that was initially directionally drilled under the road.

**VOTE:**

|                      |     |                   |     |                |     |
|----------------------|-----|-------------------|-----|----------------|-----|
| Supervisor Salisbury | Aye | Councilor Shimer  | Aye | Councilor Levy | Aye |
| Councilor Reeves     | Aye | Councilor Johnson | Aye |                |     |

**All Ayes, Motion Carried and Adopted**

*Allen Yager, Town Engineer, reported that the developer was allowed to directional drill under the road and some unforeseen soil conditions allowed the pipe to sag through the directional drill technology. Deep Glade Drive has a grade C- for condition and one of the roads that he and the Highway Superintendent agree needs to have some rehab work. Allowing the developer to open cut it will make sure that there is good bedding underneath the pipe so it doesn't sag again. It will also give an idea of what there is for road sub base and conditions without having to pay to do additional borings.*

**APPROVAL FOR REQUEST FOR PROPOSAL  
SECURITY SYSTEM FOR TOWN OF LYSANDER OFFICERS**

**RES. #59/2013** Motion by Johnson, Second by Shimer

**RESOLVED** to allow the Supervisor to send out requests for proposals for the purchase and installation of an integrated security/access control and video surveillance camera system for the Town of Lysander Offices.

**VOTE:**

|                      |     |                   |     |                |     |
|----------------------|-----|-------------------|-----|----------------|-----|
| Supervisor Salisbury | Aye | Councilor Shimer  | Aye | Councilor Levy | Aye |
| Councilor Reeves     | Aye | Councilor Johnson | Aye |                |     |

**All Ayes, Motion Carried and Adopted**

*Supervisor Salisbury reported that there will be a total of 7 cameras, three outside, four inside and they monitor both entrances, the rotunda and the parking lots.*

**THE COTTAGES AT TIMBER RIDGE SUBDIVISION PROJECT  
APPROVAL TO SIGN COVER SHEET OF CONTRACT DRAWINGS  
AND APPLICATION FOR WASTEWATER DISPOSAL SYSTEM**

**RES. #60/2013** Motion by Reeves, Second by Levy

**RESOLVED** that the Supervisor be authorized to sign the cover sheet of the Contract Drawings, dated February 2013, and the NYSDEC Application for Approval of Plans for a Wastewater Disposal System (Formally BSP-5) for The Cottages at Timber Ridge Subdivision Project.

**VOTE:**

|                      |     |                   |     |                |     |
|----------------------|-----|-------------------|-----|----------------|-----|
| Supervisor Salisbury | Aye | Councilor Shimer  | Aye | Councilor Levy | Aye |
| Councilor Reeves     | Aye | Councilor Johnson | Aye |                |     |

**All Ayes, Motion Carried and Adopted**

**APPROVAL TO PARTICIPATE IN  
INTERN PROJECT**

**RES. #61/2013** Motion by Johnson, Second by Reeves

**RESOLVED** to participate in the Cornell Local Roads 2013 Pavement Management Summer Intern Project.

**VOTE:**

|                      |     |                   |     |                |     |
|----------------------|-----|-------------------|-----|----------------|-----|
| Supervisor Salisbury | Aye | Councilor Shimer  | Aye | Councilor Levy | Aye |
| Councilor Reeves     | Aye | Councilor Johnson | Aye |                |     |

**All Ayes, Motion Carried and Adopted**

*Lysander Town Board regular meeting  
March 11, 2013*

APPROVAL TO ADVERTISE  
SUMMER ENGINEERING INTERN POSITION

**RES. #62/2013** Motion by Johnson, Second by Reeves

**RESOLVED** to advertise for a summer engineering intern position to assist the Town Engineer in preparing a comprehensive pavement management plan for the Town Roads.

**VOTE:**

|                      |     |                   |     |                |     |
|----------------------|-----|-------------------|-----|----------------|-----|
| Supervisor Salisbury | Aye | Councilor Shimer  | Aye | Councilor Levy | Aye |
| Councilor Reeves     | Aye | Councilor Johnson | Aye |                |     |

All Ayes, Motion Carried and Adopted

*A discussion ensued among Board members and the Town Engineer regarding the details of the program, the length of the program, the rate of pay for the intern, the job description and the duties for the position.*

OTHER BUSINESS

EXECUTIVE SESSION

**RES. #63/2013** Motion by Levy, Second by Shimer

**RESOLVED** to adjourn to executive session to discuss matters relating to contractual items and personnel matters.

**VOTE:**

|                      |     |                   |     |                |     |
|----------------------|-----|-------------------|-----|----------------|-----|
| Supervisor Salisbury | Aye | Councilor Shimer  | Aye | Councilor Levy | Aye |
| Councilor Reeves     | Aye | Councilor Johnson | Aye |                |     |

RECOGNITION OF CITIZENS

**Jim Stirushnik, Dinglehole Road**, addressed the Board and asked if there is a long term maintenance and service fee for the Town Hall security system. **Supervisor Salisbury** said there was, that the monthly monitoring fees is approximately 20 to 30 dollars and other fees are unknown at this time but will be looking at any others.

ADJOURNMENT

At 8:17 p.m. Councilor Levy made a motion to adjourn the Executive Session, Second by Councilor Shimer. Motion carried.

At 8:43 p.m. the Board returned from Executive Session. No action taken.

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

Lisa Dell  
Town Clerk



RECEIVED

MAR 11 2013

TOWN CLERK  
TOWN OF LYSANDER

JOEL PLUMLEY

3589 PATCHETT ROAD  
BALDWINVILLE, NEW YORK 13027

March 11, 2013

\*\*\* VIA E-MAIL: [supervisor@townoflysander.org](mailto:supervisor@townoflysander.org) \*\*\*

The Honorable John Salisbury  
Town Board Members  
TOWN OF LYSANDER  
8220 Loop Road  
Baldwinsville, New York 13027

Dear Supervisor Salisbury and Board Members:

I am very concerned about yet another increase in the density of the Timber Banks project, and believe the requested change in the General Project Plan (GPP) is ill-advised.

Let me be clear that I have no objection to placing a YMCA on River Road. My objection is in moving the residential units from their original location (the proposed YMCA site) into the already-too-dense remainder of the Timber Banks project.

Without dwelling too much on the past, I think the Town was originally sold a "bill of goods" on this project, which was touted as a "*self-sustaining community....reminiscent of 18<sup>th</sup> and 19<sup>th</sup> Century American and European towns and villages.*"<sup>1</sup> It is nothing of the sort. The "*mix of neighborhood scale retail, commercial and office use*"<sup>2</sup> is so little as to be insignificant in terms of people staying within the project and meeting their day-to-day employment and shopping needs.

In other words, the project was sold to the Town as a place where people would not necessarily leave in their automobile to go to work, buy groceries, and seek out other necessary goods and services. Even at full build-out, the stated concept is far from reality, and I hope the Town Board and Planning Board will consider this in their ongoing deliberations.

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<sup>1</sup> GPP, p.4

<sup>2</sup> GPP, p.5

The Honorable John Salisbury  
Town Board Members  
March 11, 2013  
Page 2

Additionally:

- Page 2 of the February 6, 2013 cover letter states there is “no change” in the density of the housing. This is simply not true. When you place the same number of dwelling units in a smaller area, as is being proposed, *by definition* the density becomes greater.
- Traffic is going to be a greater problem than it is now. The intersections of River Road and Route 370, Hlicks Road and Route 370, and Patchett-Hicks-River Roads are already capacity-stressed, and often dangerous.

Finally, please consider the general character of the surrounding community. On page 21 of the GPP, paragraph 3.1, (Surrounding Character) is focused on “*commercial activity, shopping plazas and big box retailers*” on Route 31 and the Route 481 Interchange, and blatantly ignores the quiet, serene rural area that we chose to live in for close to 20 years and raise a family.

If a YMCA is to be built on River Road, that is fine, but PLEASE do not allow the density of the remainder of the project to increase any more.

Sincerely,



Joel D. Plumley

JDP/cas

cc: Ms. Lisa Dell

[via e-mail: [townclerk@townoflysander.org](mailto:townclerk@townoflysander.org)]



March 10, 2013

To whom it may concern,

My name is Rina Di Francesco and I reside at 3442 Long Shadow Drive, Baldwinville NY 13027. I am a Timber Banks Homeowner and reside in close proximity to the proposed YMCA.

I'd like to take this time to express my support of the proposed facility, and relay that I have full confidence that The Developer, The Town of Lysander and the YMCA will ensure this is a wonderful enhancement, not only to the Timber Banks Subdivision, but to the entire surrounding community.

The YMCA is a great asset to any community they are located in, and I could not ask for anything better for my children to have access to so close to home.

I praise the Developer for contributing such an opportunity to the area, and wish the best of luck to the YMCA in its attempt to bring so many great programs to us; the only thing I wish is that I could speed up the process so that we could all enjoy what they have to offer as soon as possible!

Regards,

A handwritten signature in black ink that reads "Rina Di Francesco". The signature is written in a cursive style with a large, stylized initial "R".

Rina Di Francesco