

May 22, 2019

The Town Board of the Town of Lyons met for a meeting on May 22, 2019, at 6:30 p.m. in the Town Board meeting room.

Present: Jake Emmel, Supervisor  
John Paliotti, Councilman  
Joanne Greco, Councilwoman  
Ralph D'Amato, Councilman  
James Brady, Councilman  
Sal Colatarci, Town Clerk  
Tim Moore, Highway Supt.

Also Present: Jeff Lead, Dale Kenville, Joe Sapp, Richard Bogan, Amy Shaffer, Kayla Sturgill, Carol Bailey, Sam Toner, Tony Villani, Linda Guest, Casey Carpenter

Absent:

This meeting was duly noticed by contacting the Times of Wayne newspaper, as well as posting a notice on the Town bulletin board and on the Town's web site.

All stood for the Pledge of Allegiance.

Councilman Paliotti moved to accept the minutes from the April 24, 2019 meeting as well as the May 15, 2019 workshop. Motion seconded by Councilwoman Greco. Vote:

Councilman Paliotti voting aye  
Councilwoman Greco voting aye  
Councilman D'Amato voting aye  
Councilman Brady voting aye (abstaining from the May 15 vote)  
Supervisor Emmel voting aye

Sarah Schembri then addressed the Board. She introduced herself as one of the owners of the former Growlers Tavern (soon to be known as William Street Tavern) on William Street. She explained that she hopes to have the business up and running later this summer. Meanwhile, she mentioned that they also operate a food truck and would like to perhaps set up the truck in the park on occasion to sell food. She was instructed to contact Town Clerk Colatarci to obtain the necessary permit to operate the food truck. She said she would do so.

Mr. Jeff Lead then addressed the Board concerning the pay rate for the cemetery works at both Elmwood and Rural Cemeteries. He explained that they were promised \$12.00 per hour coming back to work this spring. However, they are only receiving minimum raise. Supervisor Emmel explained that he doesn't know who or why they were promised that amount, but there is not enough money in the budget to pay that hourly rate, however he said he would look into it further to see if the matter could be rectified. He also stated that the cemetery employees started 3 weeks later than in the past years and that has put them behind. Amy Shaffer, Town Cemetery Sexton, stated that the delay was caused by Mother Nature due to daily rains and even snow, just a few weeks ago.

At 6:40 p.m., Councilman Brady moved to open the public hearing on local law 1 of 2019 which Eliminates the New York State Real Property Tax Law §487 tax exemption for micro-hydroelectric energy systems, fuel cell electric generating systems, micro-combined heat and power generating equipment systems, and electric energy storage equipment or electric energy storage systems constructed in the Town of Lyons after effective date of local law. Motion seconded by Councilman Paliotti. Vote:

Councilman Brady voting aye  
Councilman Paliotti voting aye  
Councilman D'Amato voting aye  
Councilwoman Greco voting aye

Supervisor Emmel voting aye.

The Public Hearing would remain open until all comments had been heard.

Councilwoman Greco moved to close the public hearing. Motion seconded by Councilman Brady.  
Vote:

Councilwoman Greco voting aye  
Councilman Brady voting aye  
Councilman D'Amato voting aye  
Councilman Paliotti voting aye  
Supervisor Emmel voting aye

Councilman Paliotti then moved to adopt Local Law 1 of 2019. Motion seconded by Councilman D'Amato. Vote:

Councilman Paliotti voting aye  
Councilman D'Amato voting aye  
Councilman Brady voting aye  
Councilwoman Greco voting aye  
Supervisor Emmel voting aye

The necessary paperwork will be filed with the Secretary of State.

The Board then heard from Linda Guest of Layton Street. She explained that she would be interested in taking over the position of Town Historian. Back in December, current Historian Carol Bailey informed the Board that she would retire from the position as soon as a replacement could be found.

Councilman Paliotti moved to appoint Linda Guest as the Town Historian effective July 1, 2019. Motion seconded by Councilman Brady. Vote:

Councilman Paliotti voting aye  
Councilman Brady voting aye  
Councilman D'Amato voting aye  
Councilwoman Greco voting aye  
Supervisor Emmel voting aye

Town Clerk Colatarci explained that the office has received correspondence from the former ambulance billing company in Walworth. They have about 5 file boxes containing old ambulance billing documents that need to be removed from their office or get shredded. If the Town elects to keep the boxes, it has to pick them up. Supervisor Emmel stated he would use his pickup truck to pick up the boxes. The Board approved.

Department reports were heard. Code Enforcement Officer Richard Bogan reported:

Building Permits issued: ... 34  
Building Permits Cleared, compliance issued.... 10

Violation/Order to Remedy issued: ... 48 5 lawns to Burnham  
Violations Cleared: .....28

Other Permits: 6 inflow inspections, 11 Landlord license issued, 14 water pipe inspections  
Operating permit inspections.... 4 public assembly, 1 commercial and 23 fire safety inspections

Appearance Tickets ...  
7537 Old Lyons Rd, electric defects \$ 7000.00 fine, hearing scheduled  
26 Cherry Street, rubbish and fire, fine and 4th reappearance scheduled  
7537 Old Lyons Rd, Lot # 3 Rubbish, fine and 3ed appearance scheduled

Zoning and Planning: site visits and plan review 33-39 Water

Assessor Kayla Sturgill reported Property Transfers(Sales) in April totaled 12

5 Arm's length usable for valuation purposes

7 quit claim(between family members, owner changes etc)-not valuation usable

Tentative roll was filed May 1. I have sat with the roll as required per RPTL 526.

Submitted a voucher for payment and booked the hotel room for the Cornell Conference that the board approved at the workshop. It is July 14-18. I requested to take the course Advanced Application of the Three Approaches to Value. This course focuses more on valuation of commercial properties.

Submitted a voucher for payment to sign up for an Ethics for Assessor course that will be held in Canandaigua in August. This course is required within 1 year of reappointment.

Ms. Sturgill asked for a board resolution to reappoint her as the Town Assessor for the next 6 year term-starting October 1, 2019 and ending September 30, 2025, as her term expires on Sept. 30, 2019. After a few questions, Councilman Paliotti moved the reappointment effective Oct. 1, 2019. Motion seconded by Councilman D'Amato. Vote:

Councilman Paliotti voting aye

Councilman D'Amato voting aye

Councilman Brady voting aye

Councilwoman Greco voting aye

Supervisor Emmel voting aye

Grievance Day will be Tuesday May 28, 2019 from 4pm-8pm. As of Tuesday May 21, there are no scheduled appointments.

Director of Ambulance Operations, John Wiltsie, in a written reported stated:

Total Calls for month April: 90

Requested approval from Joanne to spend up to \$1000.00 On Baseball caps and Polo shirts for Employees so they look professional in the Public. To be taken out of Donation account. Approval granted.

Would like Town Board approve to utilize Lyons Fire Dept. members to drive ambulance for back up calls. They will have to come down and do drivers training and give me copy of drivers lie for back ground check.

Attended Wayne County EMS advisory board meeting last Wed. Jake needs to notify Bill Little EMS coordinator for county making him primary Rep for Town as he currently the alternate representative. Councilman Brady moved to name Mr. Wiltsie as the Town's rep to the County EMS Advisory Board, effective immediately. Motion seconded by Councilwoman Greco. Vote:

Councilman Brady voting aye

Councilwoman Greco voting aye

Councilman D'Amato voting aye

Councilman Paliotti voting aye

Supervisor Emmel voting aye

Also, Mr. Wiltsie indicated that Spencer Speedway has approached him asking if the ambulance can provide coverage for 6 events at the speedway this summer. They are willing to pay about \$500.00 per race. Mr. Wiltsie speculated that it would bring in about \$2,200.00 to put back into the ambulance budget. After a discussion, the Board felt such a move would prevent a rig and crew from being in Lyons, if needed. As a result, the Board agreed not to provide the requested coverage.

Highway Supt. Tim Moore reported. The floating docks have been installed with some help from the Canal Authority. A lot of brush is being picked up this spring. All roads have been swept.

Took the surplus equipment to the auction in Palmyra. The Town will be getting a check for \$19,980.00.

The Town has received a quote from Zoladz Construction in Farmington to grind the brush pile on Cole Road and remove all the material once ground up. Total cost is \$13,900.00. The Town would provide a loader and operator to assist. After discussion, Councilman Brady moved to accept the quote. Motion seconded by Councilwoman Greco. Vote:

Councilman Brady voting aye  
Councilwoman Greco voting aye  
Councilman D'Amato voting aye  
Councilman Paliotti voting aye  
Supervisor Emmel voting aye

Pursuant to the provisions of Section 284 of the Highway Law, Councilman Paliotti moved to expend \$300,000.00 for the repair of about 66.79 miles of town streets/roads to mill, repave, and oil stone several streets within the municipality. Motion seconded by Councilman D'Amato. Vote:

Councilman Paliotti voting aye  
Councilman D'Amato voting aye  
Councilwoman Greco voting aye  
Councilman Brady voting aye  
Supervisor Emmel voting aye

The agreement to spend the money as outlined is signed by all Board members, the Supervisor, and the Highway Supt.

Buildings and Grounds Foreman Dale Kenville reported much spring time clean-up and prep is underway. Cleaned roads and lawns, brush pick up continues. Picked up stakes throughout the Town. Garbage cans have been placed back outside. The new picnic tables have been ordered and should be ready soon.

Councilwoman Greco moved to approve General Fund vouchers #260 through #315 totaling \$211,450.17.

Motion seconded by Councilman D'Amato. Vote:

Councilwoman Greco voting aye  
Councilman D'Amato voting aye  
Councilman Brady voting aye  
Councilman Paliotti voting aye  
Supervisor Emmel voting aye

Councilman Brady then moved to approve Highway Fund vouchers #76 through #94 totaling \$59,156.78.

Motion seconded by Councilman Paliotti. Vote:

Councilman Brady voting aye  
Councilman Paliotti voting aye  
Councilman D'Amato voting aye  
Councilwoman Greco  
Supervisor Emmel voting aye

The Board then discussed a plan of operation to move the monument in front of the American Legion. The Post is now closed and up for sale. However, the monument is owned by the Town. It was decided that a call be placed to Fratto's in Geneva to get a price to move the monument.

The Board then reviewed a quote from Custom Painting to power wash, paint the windows, and stain the back deck at the Town Hall. Total cost including materials and labor is \$825.00. After a discussion, Councilman D'Amato moved to approve of the quote and have Mr. Kelley do the job. Motion seconded by Councilman Brady. Vote:

Councilman D'Amato voting aye  
Councilman Brady voting aye  
Councilwoman Greco voting aye  
Councilman Paliotti voting aye  
Supervisor Emmel voting aye

Councilman Paliotti then moved to approve the proposal from MRB Group to provide a preliminary engineering report concerning the Wastewater Treatment Plant on Clyde Road, and to allow the Supervisor to sign the proposal as written, once the Town receives a signed copy from MRB. The issue was discussed at a workshop last week (May 15<sup>th</sup>). Motion seconded by Councilman Brady. Vote:

Councilman Paliotti voting aye  
Councilman Brady voting aye  
Councilman D'Amato voting aye  
Councilwoman Greco voting aye  
Supervisor Emmel voting aye

At 7:45 p.m., Councilman Paliotti moved to go into executive session to discuss a pending litigation. Motion seconded by Councilman D'Amato. Vote:

Councilman Paliotti voting aye  
Councilman D'Amato voting aye  
Councilman Brady voting aye  
Councilwoman Greco voting aye  
Supervisor Emmel voting aye

At 8:20 p.m., Councilwoman Greco moved to come out of executive session. Motion seconded by Councilman D'Amato. Vote:

Councilwoman Greco voting aye  
Councilman D'Amato voting aye  
Councilman Brady voting aye  
Councilman Paliotti voting aye  
Supervisor Emmel voting aye

As there was no further business, the meeting was adjourned.

Sal J. Colatarci

Lyons Town Clerk