

July 29, 2020

The Town Board of the Town of Lyons met for a meeting on July 29, 2020, at 6:30 p.m. at the Lyons Community Center

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: John Wiltsie, Richard Bogan, Kayla Sturgill, Dale Kenville, Scott Bailey, Tony Villani, Carolyn Grasso

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 Brady moved to accept the minutes from the June 24 meeting as well as the minutes from the July 15, 2020 workshop. Motion seconded by Councilman Paliotti. Vote:

Councilman Brady voting aye
Councilman Paliotti voting aye
Councilwoman Greco voting aye (abstaining on the July 15 minutes)
Councilman D'Amato voting aye
Supervisor Emmel voting aye

Councilman D'Amato moved to approve payment of General Fund vouchers #311 through #375 totaling \$146,958.81

Motion seconded by Councilman Brady. Vote:

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

Councilman Brady moved to approve payment of Highway Fund vouchers #104 through #130 totaling \$205,462.72

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

Per a requirement from the State of New York, Councilman Brady moved and seconded by Councilman D'Amato that the Town of Lyons (Lyons, New York) adopts the Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

FURTHER RESOLVED, that in accordance with Article 57-A:

(a) only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein;

(b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

At 6:45 p.m. , Councilman Brady moved to open the Public Hearing for Local Law #1 of 2020 regarding the establishment of new fees for Building and Code enforcement as well as for zoning, Fire Prevention, and other land uses. Motion seconded by Councilman D'Amato. Vote:

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

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

At 6:47 p.m., as there were no comments or questions, Councilwoman Greco moved to close the Public Hearing. Motion seconded by Councilman Paliotti. Vote:

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

Councilman Brady then moved to adopt Local Law 1-2020. 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 necessary paperwork will be filed with the Secretary of State.

Councilman Brady then gave a brief update on the Comprehensive Plan for the Town. The Committee for the Plan was established at the workshop held on the 15th of this month. All have agreed to serve. The kick-off meeting is Aug. 6 at the Town Hall Meeting Room.

Department reports were heard. Code Enforcement Officer Richard Bogan reported the following from June 25 through July 28, 2020:

Building Permits issued: ...30

Building Permits Cleared, compliance issued....21

Violation/Order to Remedy issued: ...35

Violations Cleared:35

13 properties to Burnham for mowing / clean-up 4 billed

1 fire, condemned.. 1 building collapse, condemned

Other Permits: 2 inflow inspections, 2 address change, 1 c of o inspection

5 re-inspection

Appearance Tickets .. 12 appearances:

Zoning and Planning: 2 special permit applications accepted by ZBA

Assessor Kayla Sturgill reported:

Property Transfers (Sales) in June-29

17 Arms length usable for valuation purposes

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

2 REO purchase from bank

Ms. Sturgill is currently working on the new Wayne County Water and Sewer Authority Storage Project, in conjunction with MRB Group and Wayne County Water and Sewer Authority to ensure the parcels in Lyons that need to be included are. It is mainly going to apply to the Old Lyons/Newark water district and the Route 31 County complex/service area.

Have multiple on-going projects in the office, along with assisting Dick in Code Enforcement, any questions either the Supervisor or town board members, or taxpayers have.

Some projects include scanning deeds to make the office more digital, working with NYS Office of Real Property Tax with the survey, making sure soil and water worksheets matches the ag land breakdown on agriculture parcels.

NYS has issued the final-Final Roll Enhanced STAR IVP Corrections Report for me to update any exemptions if need be, then correspond the new school district totals with the district administrators.

Head of Ambulance Operations, John Wiltsie stated there was a total of 120 calls in June; 18 mutual aid calls 16 to Newark, 2 in Clyde.

Multi med Billing : Amy reports that she is seeing better return with this billing company compared to PAB (old billing company).

Stryker Health EMS Medical charting company: Dan DeWolf has been doing computer side of imputing info on to spread sheet for what is required for charting and I have been busy doing all the paperwork side for information Dan need's for Charting company.

Mr Wiltsie requested approval to purchase out of donation account 2- rugged Tablets\$ 1,500.00 Total. They will be used charting in Ambulance and Patient needs to sign their Billing paperwork. This will help keep Overtime down as much as possible. After discussion, Councilwoman Greco moved to grant permission. Motion seconded by Councilman Brady. Vote:

Councilwoman Greco voting aye

Councilman Brady voting aye

Councilman Paliotti voting aye

Councilman D'Amato voting aye

Supervisor Emmel voting aye

2 more EMT's will be hired to replace one's that are not pulling shifts.

Buildings and Grounds Foreman Dale Kenville reported Cross walks and parking spots have been repainted. Several road signs have been repaired. The canal docks have been installed for the summer season. A new fence has been installed alongside the ambulance base. The Vac truck has been cleaning street around Town.

Highway Supt. Tim Moore reported that the price for the repaving project on the south side of the former Village came in about \$7,000.00 less than estimated. Some ADA sidewalks and some driveway/shoulder work still needs to be competed in that area.

The Town has been helping the County so some oil and atone work.

A big section of a hanging branch was taken down on Geneva Street Ext. and a large section of a tree was taken down at one of the Town cemetery's, both with the help of Mike Giles.

Vehicle inspections are all done.

The Lyons Peppermint sign was removed at the intersection of Geneva and Water Streets while NYSEG does its work at the nearby parking lot.

The Board then discussed the joint water storage tank . The 2 million gallon tank, to be located on Brantling Hill, is a joint effort with the Wayne County Water and Sewer Authority, as well as with five other Towns. Attorney Anthony Villani explained that a number of resolutions need to be passed to create, and be a part of the project. For Lyons, it will be referred to as the Town of Lyons Regional Water Storage Project Improvement Area.

Councilman Brady moved that the Town approve of the district name and its creation; and accept the Report and shall be filed with the Town Clerk. 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

A copy is attached:

WHEREAS, the Town of Lyons (the "Town") is considering creating a Water System Improvement Area under Article 12-C of the Town Law (the "Improvement Area"), for the purpose of providing enhanced water supply, water storage, fire protection, redundancy and resiliency; and

WHEREAS, the Improvement Area be part of a joint project (the "Joint Water Project") with the Towns of Arcadia, Huron, Lyons, Marion, Sodus and Williamson ("Participating Municipalities") together with the Wayne County Water and Sewer Authority ("WCWSA"), and include regional water storage tank improvements, with related pump station and transmission system improvements to meet the collective needs of the Participating Municipalities; and

WHEREAS, the Participating Municipalities and WCWSA executed a Regional Water Storage System Improvements and Services Agreement with attachments last dated January 22, 2020, which describes the Joint Water Project and which is available for review at the Lyons Town Hall; and

WHEREAS, MRB Group Engineering, Architecture & Surveying, DPC. ("MRB Group") were hired to prepare a Map, Plan and Report ("Report"), including surveying and mapping, for the Joint Water Project; and

WHEREAS, MRB Group and has prepared the Report, entitled Engineering Report for the Wayne County Regional Water and Sewer Authority Regional Storage Project, dated July 2020 which shows the boundaries of the proposed Improvement Area, includes a general plan of the water system improvements, explains the proposed method of operation, and has been certified by, Derek Anderson, P.E, a competent engineer duly licensed by the State of New York; and

WHEREAS, the Report has been reviewed by the Attorney for the Town and the Town Board and found satisfactory;

NOW, THEREFORE, IT IS RESOLVED, that the Report is accepted, and shall be filed by the Town Clerk, pursuant to Town Law §209-c.

Councilman Paliotti then moved to approve Part I of the SEQRA Report related to the project, and allow the Supervisor to sign the document. Motion seconded by Councilwoman Greco. Vote:

Councilman Paliotti voting aye

Councilwoman Greco voting aye

Councilman D'Amato voting aye

Councilman Brady voting aye
Supervisor Emmel voting aye

Councilman Paliotti moved to approve Part II of the SEQRA Report (project impacts). Motion seconded by Councilman Brady. Vote:

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

Councilman Brady then moved that Part III of the SEQRA indicating the Town is the lead agency, a type one action, and that the project will have no ill effect on the environment. Thus, a negative declaration by the Town. 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

Councilman Brady then moved to allow the Supervisor to sign part III of the SEQRA Report. Motion seconded by Councilman D'Amato. Vote:

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

Councilman Brady then moved that a Public Hearing on the creation of the Lyons Water Storage District be held on Wed. Aug. 26, 2020 at 6:45 p.m. at the Lyons Community Center. Motion seconded by Councilman D'Amato. Vote:

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

A copy of the Notice of Public Hearing is attached:

At a meeting of the Town Board held at the Lyons Community Center, 9 Manhattan Street, Lyons, Wayne County, New York, on the 29th day of July, 2020:

WHEREAS, the Wayne County Water and Sewer Authority ("Authority") and the Towns of Arcadia, Huron, Lyons, Marion, Sodus, and Williamson (the "Participating Municipalities") are working collaboratively to construct a Regional Storage Project (the "Project") to provide enhanced water storage and related redundancy and water system resiliency. The Project includes additional water storage, pumping, and transmission improvements and

WHEREAS, the Authority and the Participating Municipalities entered into that certain Regional Water Storage System Improvement And Services Agreement ("IMA") effective as of January 1, 2020 to outline the terms under which they will work together to construct, finance, and provide Operation and Maintenance ("O&M") for the Project, and

WHEREAS, the Wayne County Water and Sewer Authority has commissioned and paid for a Map, Plan and Report by MRB Group To serve as the Map, Plan and Report required by each

Participating Municipality in the formation of Article 12-C Improvement Areas, through which each Participating Municipality will assess capital charges for the Project pursuant to pertinent sections of the Town Law, and

WHEREAS, the project generally consists of the following fundamental components:
A new 2.0 million gallon (“G” storage tank on Brantling Hill in the Town of Arcadia. • Transmission improvements in the Town of Williamson.

Control valves at select locations within the Town of Williamson distribution system.

Improvements to the Route 21 Pumping Station in the Town of Williamson.

Installation of new bi-directional flow master meters (3) at or near the Williamson town line to replace the current master meters at these locations.

Transmission improvements in the Towns of Arcadia and Sodus.

A new pumping station at the intersection of Joy Road and NYS Route 88 in the Town of Sodus, including a Pressure Reducing Valve (“RV”).

Removal or abandonment of the existing PRV near the intersection of Cheetham and Maple Ridge Roads in the Town of Sodus.

Removal or abandonment of the existing PRV on Hydesville Road in the Town of Arcadia, to be replaced with a new check valve farther west on Hydesville Road near the Arcadia/Palmyra Town Line.

A water main crossing of the Erie Canal between County House Road and NYS Route 31 in the Town of Arcadia, including a Pressure Sustaining/Reducing Valve.

Check Valves at three strategic locations in the Town of Marion.

A secondary, emergency connection into the Town of Huron.

All of the planned improvements associated with the Project are shown schematically in Figure II.1 of the Engineering Report which has been accepted by the Town Board of the Town of Lyons and is available for review at the office of the Town Clerk. The improvements will be constructed in phases over a period of approximately three years, as described below, and

WHEREAS, the Town Board of the Town of Lyons accepted said Map, Plan and Report at a regularly scheduled meeting of the Lyons Town Board on July 29, 2020, and

WHEREAS, the proposed storage district includes the entire town of Lyons except the area formerly encompassed by the former Village of Lyons which is now dissolved, and

WHEREAS, a description of the proposed area encompassed by the proposed storage district is attached hereto, and

WHEREAS, the maximum amount proposed to be expended for the establishment of said Water District and the construction of said water distribution system is \$10,500,000, and

WHEREAS, the proposed method of financing for the District includes a combination of grants, loans, capital charges and user charges calculated as follows:

The Authority will finance the project through a combination of grants and notes, bonds, or loans obtained through the issuance of one or more series of revenue bonds and/or revenue bond anticipation notes as authorized by the Authority or the Authority’s trust indenture. Per the terms of the IMA, the Authority will charge an annual Service Fee to each Participating Municipality consisting of a capital charge payable by each Participating Municipality, based upon each Participating Municipality’s Pro Rata Share of Project costs including the annual debt service associated with the notes, bonds, or loans issued by the Authority to finance the Project. Each Participating Municipality’s Pro Rata Share and associated Service Fee will be based on its number of EDU’s, as reevaluated annually by the respective Town Assessors.

Given the unique nature of Williamson as a supplier of water, the financing structure agreed to in the IMA caps Williamson’s Service Fee (the “Williamson Cap”) so as to be commensurate with a total capital cost share of approximately \$3.1 million, with any overage allocated to the other Participating Municipalities in proportion to their respective number of EDU’s

The Authority has been awarded grants totaling \$4,650,000 including the following:
 \$250,000 Senate Initiative Grant (these funds have been secured by the Authority).
 \$500,000 Northern Borders Regional Commission (“NBRC” Grant.
 \$3,900,000 Water Infrastructure Improvement Act (“WIIA” Grant.

Each Participating Municipality’ Pro Rata Share and Service Fee is intended to result in a uniform annual cost per EDU for each Participating Municipality, with the exception of Williamson, for which the annual cost per EDU will be limited by the Williamson Cap. The annual cost per EDU, which is anticipated to appear as a Regional Storage Capital Charge on User’ town property tax bills, will depend upon: (1) the actual capital cost of the Project; (2) the number of EDU’ in each Participating Municipality and the corresponding total number of EDU’ in all six Participating Municipalities, as reevaluated each year by the respective Town Assessors; (3) the actual receipt of the NBRC and WIIA funds that have been awarded to the Authority; and (4) the terms of the Authority’s financing, which can only be estimated at this time. Depending upon the disposition of these factors, an estimated projected range of annual costs per EDU is presented in Table III.2.

A. Projected Range of Annual Costs per EDU

Participating Initial Year. Estimated Annual Cost Per EDU and number of EDUs per Town

Town	# of EDUs	Range of annual capital charge
Williamson	3,526	\$25 - \$45
Sodus	1,254	\$45 - \$75
Huron	888	\$45 - \$75
Marion	1,483	\$45 - \$75
Arcadia	1,059	\$45 - \$75
Lyons	52	\$45 - \$75

It is also important to note that many Users within the participating Municipality’ Improvement Areas are currently paying annual debt service associated with the Town water districts in which they reside and, if connected to the public water system, commodity charges in accordance with their metered water usage. The Regional Storage Project capital charge is in addition to these current expenses and the user rates charged by the Authority, and

WHEREAS, the Authority will be responsible for O&M of the Project improvements within Arcadia, Lyons, Sodus, Marion, and Huron. These Towns do not have their own water departments or staff; the Authority currently operates and maintains the water systems in these Towns and supplies water directly to customers on a retail basis, under the terms of the Authority’s long term lease agreement with each Town. The Authority’s O&M of the Project improvements will therefore be consistent with the current system operation. Williamson is the only Participating Town which is not in the Authority’s retail service area. Williamson has its own water department and operates and maintains its own water system. For this reason, the IMA is structured to provide for Williamson to be responsible for O&M of the Project Improvements within Williamson and

Whereas, the Participating Municipalities have collectively agreed to form Regional Water Storage Project Improvement Areas (“Improvement Areas’) under Article 12-C of the Town Law for the purpose of allocating the capital charge component of their respective Service Fees among Users of their water systems, in recognition of the enhanced water storage and/or the related redundancy and water system resiliency associated with the Project.

Each Town’s Improvement Area is intended to effectively “overlay” the Town’s existing water districts and other improvement areas, service areas and out-of-district users, so as to encompass all water Users within the boundaries of the proposed Improvement Area. Each Town’s Improvement Area also encompasses areas without current access to public water, but which would be assessed a capital charge at such time public water is available to them, in recognition of the enhanced water storage and/or the related redundancy and water system resiliency associated with the Project.

Users in future Town water districts or improvement areas within any Town's Improvement Area will be assessed the Project capital charge at such time the new water district or improvement area is created. The capital charge would be in addition to any annual debt service associated with the new water district or improvement area, and

WHEREAS, An Improvement Area "Map and Plan" is provided in Appendix C of the Engineering Report for each Town. The Map and Plan for each Town depicts the boundaries and extent of the Improvement Area and schematically depicts existing water lines and related infrastructure and existing water districts and service areas. Written boundary descriptions for each Town's Improvement Area are provided in Appendix D, a copy of which is annexed hereto.

In general, the incorporated villages within the Participating Municipalities are not included in the Town Improvement Areas because the villages have historically constructed, operated, and maintained their own dedicated storage facilities, which have not only been utilized within the respective villages, but have been relied upon by the surrounding Towns as well, and

WHEREAS, The transmission mains to be constructed as part of the Project are intended to be primarily for transmission, as opposed to distribution. As such, no Town Water Districts have been formed to facilitate individual service connections to the transmission mains. However, the IMA provides that each of the Participating Municipalities will have the right to allow service connections to Users fronting on the transmission mains with the consent of the affected Participating Municipality and the Authority. Each of the Participating Municipalities also has the right to assess and impose an Annual Connection and Improvement Fee to any User with a service connection to a transmission main constructed as part of the Project.

In an effort to achieve equity with respect to other Users who are paying the annual capital debt service associated with their respective town water districts, Users who request and are given permission to connect to a transmission main will be required to submit an application and enter into an agreement with the Authority and the affected Participating Municipality pursuant to which the User agrees to pay the Annual Connection and Improvement Fee for a term of 38-years, beginning with the year the service connection is made. Permission to connect will also be subject to compliance with applicable Lateral Restrictions as adopted and amended by the Authority.

Additionally, Users who connect to transmission mains will be charged by the Authority with a one-time connection charge estimated initially to be \$1,600 per standard service connection (1" service line and 3/4" meter) inclusive of the meter, appurtenances, and inspection charges; and will also be responsible for the cost of their water service line between the curb stop and the dwelling, including any internal plumbing modifications necessary to accommodate the installation of the water meter. Upsizing of the service line and meter, if necessary to accommodate particular properties, will incur a higher connection charge in accordance with the Authority's then applicable connection charges.

Once connected to the system, Users who connect to transmission mains will pay for their metered water consumption quarterly, based on the Authority's then applicable retail water rates. Property owners who connect to the Improvements in the Town that are not in a water district ("Out-of-District Users") will be allowed to connect and obtain water upon execution of a contract with the Town and the Authority whereby the Out-of-District User will pay \$540 per year for 38 years in addition to the cost of water.

WHEREAS, copies of the map, plan and report describing the proposed district are on file and available for review at the Sodus Town Clerk's Office during regular business hours.

Now on motion of Councilperson Brady, seconded by Councilperson D'Amato, all members present voting therefor, it is

ORDERED that a meeting of the Town Board of the Lyons be held at the Lyons Community Center, 9 Manhattan Street, Lyons, New York on August 26, 2020 at 6:45 pm for the purpose of

conducting a public hearing on the proposal to establish said Town of Lyons Regional Water Storage District with the improvements specified above, at which time and place all persons interested in the subject thereof may be heard concerning the same, and it is further

ORDERED, that the Town Clerk is hereby authorized and directed to publish a copy of this order in the official Town newspaper and post a copy of the same in the time and manner required by law.

Dated: July 29, 2020

By order of the Town Board
Town of Lyons
Sal Colatarci
Town Clerk

ORDERED, that the Town Clerk is hereby authorized and directed to publish a copy of this order in the official Town newspaper and post a copy of the same in the time and manner required by law.

The full description of the improvement area is as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lyons, County of Wayne and State of New York, designated as the Regional Water Storage Project Improvement Area as set forth and delineated on a map prepared by MRB Group Engineering, Architecture & Surveying, D.P.C. dated June 2020, entitled "Map and Plan" (Project No. 2300.16001) and being more particularly bounded and described as follows: BEGINNING at the intersection of the existing municipal boundary between the Town of Lyons and The Town of Arcadia with the existing southerly municipal boundary of the Town of Lyons, said boundary also being the municipal boundary between the County of Wayne with the County of Ontario and continuing thence from said point of beginning:

1. Easterly, along the last mentioned existing southerly municipal boundary of the Town of Lyons to a point at its intersection with the existing municipal boundary between the Town of Lyons and the Town of Galen; thence
2. Northerly, along the existing municipal boundary of the Town of Lyons with the Town of Galen and Town of Rose to a point at its intersection with the existing municipal boundary between the Town of Lyons and the Town of Sodus; thence
3. Westerly, along the last mentioned existing municipal boundary between the Town of Lyons and the Town of Sodus to a point at its intersection with the existing municipal boundary between the Town of Lyons and Town of Arcadia; thence
4. Southerly, along the last mentioned municipal boundary between the Town of Lyons and the Town of Arcadia to the point and place of beginning.

EXCEPTING AND RESERVING FROM THE ABOVE DESCRIBED REGIONAL WATER STORAGE PROJECT IMPROVEMENT AREA ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lyons, County of Wayne and State of New York, designated as the "Former Village of Lyons Service Area," said Tract and Parcel of Land also including The Westphal and Grist Mill Water Districts, as set forth and delineated on a map prepared by MRB Group Engineering, Architecture & Surveying, D.P.C. dated July 2020, entitled "Map and Plan" (Project No. 2300.16001) and being more particularly bounded and described as follows: BEGINNING at the intersection of the existing southerly municipal boundary of the Former Village of Lyons with the centerline of New York State Route 31 and continuing thence from said point of beginning:

1. Southerly, along the westerly boundary of the Former Village of Lyons to a point at its intersection with the southerly boundary of the Former Village of Lyons; thence
2. Easterly, along the last mentioned existing southerly boundary of the Former Village of Lyons to a point at its intersection with the existing westerly boundary of Tax Map Parcel 71111-00-122042; thence

3. Southerly, along the last mentioned existing westerly boundary of Tax Map Parcel 71111-00-122042 to a point at its intersection with the existing northerly boundary of Tax Map Parcel 71111-00-122042; thence
4. Westerly, along the last mentioned existing northerly boundary of Tax Map Parcel 71111-00-122042 to a point at its intersection with the existing westerly boundary of Tax Map Parcel 71111-00-122042; thence
5. Southerly, along the last mentioned existing westerly boundary of Tax Map Parcel 71111-00-122042 to a point at its intersection with the existing southerly boundary of Tax Map Parcel 71111-00-122042; thence
6. Easterly, along last mentioned existing southerly boundary of Tax Map Parcel 71111-00- 122042 to a point at its intersection with the existing westerly boundary of the Westphal Water District; thence
7. Southerly, along the last mentioned existing westerly boundary of the Westphal Water District to a point at its intersection with the existing southerly boundary of the Westphal Water District; thence
8. Easterly, along the last mentioned existing southerly boundary of the Westphal Water District and also along the southerly boundary of Tax Map Parcel 71110-00-393990 to a point at its intersection with the existing westerly boundary of the Former Village of Lyons; thence
9. Southeasterly, along the westerly boundary of the Former Village of Lyons and along the apparent easterly boundary of Sohn Alloway Road to a point at its intersection with the southeasterly boundary of the Former Village of Lyons; thence
10. Northeasterly, along the last mentioned southeasterly boundary of the Former Village of Lyons to a point at its intersection with the northeasterly boundary of the Former Village of Lyons; thence
11. Northwesterly, along the last mentioned northeasterly boundary of the Former Village of Lyons to a point at its intersection with the southerly boundary of the Former Village of Lyons; thence
12. Easterly, along the last mentioned southerly boundary to a point at its intersection with the easterly boundary of the Former Village of Lyons; thence
13. Northerly, along the last mentioned easterly boundary of the Former Village of Lyons to a point at its intersection with the existing southeasterly boundary of Tax Map Parcel 71111-00-647264; thence

14. Southeasterly, along the last mentioned southerly boundary of Tax Map Parcel 7111-00- 647264, and also along the southerly boundaries of Tax Map Parcels 7111-00-635180, 71111-00-677246 and 71111-00-742113 to a point at its intersection with the existing easterly boundary of Tax Map Parcel 71111-00-742113; thence
15. Northerly, along the last mentioned existing easterly boundary of Tax Map Parcel 71111- 00-742113 crossing Cole Road and along the existing easterly boundary of Tax Map Parcel 71111-00-770330 to a point at its intersection with the existing northerly boundary of Tax Map Parcel 71111-00-770330; thence
16. Northwesterly, along the last mentioned existing northerly boundary to a point at its intersection with the existing westerly boundary of Tax Map Parcel 71111-00-770330; thence
17. Southwesterly, along the last mentioned existing westerly boundary of Tax Map Parcel 71111-00-770330 and also along Tax Map Parcel 71111-00-659305 to a point at its intersection with the existing northerly boundary of Tax Map Parcel 71111-00-659305; thence
18. Northwesterly, along the last mentioned northerly boundary of Tax Map Parcel 71111- 00-659305 to a point at its intersection with the existing westerly boundary of Tax Map Parcel 71111-00-659305; thence
19. Southwesterly, along the last mentioned existing westerly boundary of Tax Map Parcel 71111-00-659305 to a point at its intersection with the existing easterly boundary of the Former Village of Lyons; thence
20. Northerly, along the last mentioned existing easterly boundary of the Former Village of Lyons to a point at its intersection with the existing southerly boundary of Tax Map Parcel 71111-00-633482; thence
21. Southeasterly, along the last mentioned existing southerly boundary of Tax Map Parcel 71111-00-633482 to a point at its intersection with the existing westerly boundary of Tax Map Parcel 71111-00-720430; thence
22. Southerly, along the last mentioned existing westerly boundary of Tax Map Parcel 71111-00-720430 to a point at its intersection with the existing southerly boundary of Tax Map Parcel 71111-00-720430; thence

23. Easterly, along the last mentioned existing southerly boundary of Tax Map Parcel 71111- 00-720430 to a point at its intersection with the existing westerly boundary of Tax Map Parcel 71111-00-720430; thence
24. Southerly, along the last mentioned existing westerly boundary of Tax Map Parcel 71111-00-720430 to a point at its intersection with the existing northwesterly boundary of Tax Map Parcel 71111-00-720430; thence

25. Southwesterly, along the last mentioned existing northwesterly boundary of Tax Map Parcel 71111-00-720430 to a point at its intersection with the existing southerly boundary of Tax Map Parcel 71111-00-720430; thence
26. Easterly and Northeasterly, along the last mentioned existing southerly boundary of Tax Map Parcel 71111-00-720430 and also along the existing northerly boundary of CSX Rail Road Property to a point at its intersection with the existing easterly boundary of Tax Map Parcel 71111-00-720430; thence
27. Northerly, along the last mentioned existing easterly boundary of Tax Map Parcel 71111- 00-720430 to a point at its intersection with the existing northerly boundary of Tax Map Parcel 71111-00-720430; thence
28. Westerly, along the last mentioned existing northerly boundary of Tax Map Parcel 71111-00-720430 to a point at its intersection with the existing westerly boundary of Tax Map Parcel 71111-00-720430; thence
29. Southerly, along the last mentioned existing westerly boundary of Tax Map Parcel 71111-00-720430 to a point at its intersection with the existing northerly boundary of Tax Map Parcel 71111-00-720430; thence
30. Northwesterly, along the last mentioned existing northerly boundary of Tax Map Parcel 71111-00-720430 and also along the existing northerly boundary of Tax Map Parcel 71111-00-660470 and Tax Map Parcel 71111-00-633482 to a point at its intersection with the existing easterly boundary of the Former Village of Lyons; thence
31. Northerly, along the last mentioned existing easterly boundary of the Former Village of Lyons to a point at its intersection with the existing northerly boundary of the Former Village of Lyons; thence
32. Westerly, along the last mentioned existing northerly boundary of the Former Village of Lyons to a point; said point being 200'± easterly of the existing easterly boundary of New York State Route 14; thence
33. Northerly, through lands of Tax Map Parcel 71112-00-224295 running parallel to and 200'± easterly of, as measured at right angles of, the existing easterly highway boundary of New York State Route 14 a distance of 850'± to a point; thence
34. Westerly, continuing through lands of Tax Map Parcel 71112-00-224295 to a point at its intersection with the existing easterly highway boundary of New York State Route 14; thence
35. Southerly, along the last mentioned existing easterly highway boundary a distance of 40'± to a point; thence
36. Westerly, crossing New York State Route 14 to a point at its intersection with the existing northeasterly boundary of Tax map Parcel 71112-00-135256; thence

37. Northwesterly, along the last mentioned existing northeasterly boundary of Tax map Parcel 71112-00-135256 to a point at its intersection with the existing northerly boundary of Tax map Parcel 71112-00-135256; thence
38. Westerly, along the last mentioned existing northerly boundary of Tax map Parcel 71112- 00-135256 to a point at its intersection with the existing westerly boundary of Tax map Parcel 71112-00-135256; thence
39. Southerly, along the last mentioned existing westerly boundary of Tax map Parcel 71112- 00-135256 to a point at its intersection with the existing northerly boundary of Tax Map Parcel 71112-00-116229; thence

40. Westerly, along the last mentioned existing northerly boundary of Tax map Parcel 71112- 00-116229 to a point at its intersection with the existing westerly boundary of Tax map Parcel 71112-00-116229; thence
41. Southerly, along the last mentioned existing westerly boundary of Tax map Parcel 71112- 00-116229 and also along the existing westerly boundaries of Tax Map Parcels 71112-00-117216 and 71112-00-118197 to a point at its intersection with the existing northerly boundary of the Former Village of Lyons; thence
42. Westerly, along the last mentioned existing northerly boundary of the Former Village of Lyons to a point at its intersection with the southerly extension of the existing easterly boundary of Tax map Parcel 71112-00-015206; thence
43. Northerly, through lands of Tax Map Parcel and along the last mentioned existing southerly extension of the existing easterly boundary of Tax Map Parcel 71112-00- 015206 to a point at its intersection with the existing southerly boundary of Tax Map Parcel 71112-00-015206; thence
44. Northerly, along the existing easterly boundary of Tax Map Parcel 71112-00-015206 and also along the existing easterly boundary of Tax Map Parcel 71112-00-014217 to a point at its intersection with the existing northerly boundary of Tax Map Parcel 71112-00- 014217; thence
45. Northerly, through lands of Tax Map Parcel 71112-00-048349 and along northerly extension of the existing easterly boundary of Tax Map Parcel 71112-00-014217 a distance of 575± to a point; thence
46. Westerly, continuing through lands of Tax Map Parcel 71112-00-048349 and crossing Maple Street Road and through lands of Tax Map Parcel 70112-00-948275 to a point at its intersection with the northerly extension of the existing westerly boundary of Tax Map Parcel 70112-00-998186; thence
47. Southerly, along the last mentioned northerly extension and continuing through lands of Tax Map Parcel 70112-00-948275 and through lands of Tax Map Parcel 71112-00- 048349 and along the existing westerly boundary of Tax Map parcel 70112-00-998186 to

a point at its intersection with the existing northerly boundary of the Former Village of Lyons; thence

48. Westerly, along the last mentioned existing northerly boundary of the Former Village of Lyons to a point at its intersection with the existing westerly boundary of the Former Village of Lyons; thence

49. Southerly, along the last mentioned existing westerly boundary of the Former Village of Lyons to the point and place of beginning.

HEREBY INTENDING TO DESCRIBE IN ITS ENTIRETY that Tract or Parcel of land situate in the Town of Lyons, Wayne County, New York to be known and identified as Town of Lyons Regional Water Storage Project Improvement Area.

Scott Bailey then asked who he should contact regarding the pick up of brush. He explained that there is a very large pile at the corner of Queen and Cherry Streets that he believe needs to be picked up as it is falling into the street. Highway Supt. Tim Moore said he would take care of it.

At 7:35 p.m., Councilman D'Amato moved to go into executive session to discuss pending litigation, asking Attorney Villani to remain. 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

At 8:30 p.m., Councilman Paliotti moved to come out of executive session. Motion seconded by Councilwoman Greco. Vote:

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

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

Sal J. Colatarci

Lyons Town Clerk