

Aug. 26, 2020

The Town Board of the Town of Lyons met for a meeting on Aug. 26, 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, Kayla Sturgill, Richard Bogan, Carolyn Grasso, Tony Villani, Joan Wallis, Dale Kenville, Owen Moore

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 D'Amato moved to accept the minutes from the July 29, 2020 meeting. Motion seconded by Councilman Paliotti. Vote:

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

Councilwoman Greco then moved to approve General Fund vouchers #378 through #429 totaling \$87,882.86.

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 moved to approve Highway Fund vouchers #133 through #148 totaling \$17,575.32. Motion seconded by Councilman Paliotti voting aye. Vote:

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

Joan Wallis, a member of the Town's Planning then presented highlights of the August 13th Planning Board meeting. Among the items:

Public outreach concerning Comprehensive Plan. Suggestion that print media be notified for community outreach as well as parents through Lyons Central School District if possible
Inclusion of County Planning and Economic Development head, Brian Pincelli, on CP Steering Committee. Councilman Brady indicated he would include Mr. Pincelli in some of the discussions.

Ease of adjustments to Town of Lyons Code if CP outcome suggests need for changes

Recommendation that Town of Lyons adopt the proposed new code

Is the Planning Board to have a role in town signage?

LED lighting project: has the Town Board received money back from NYSEG on the converted downtown LED lights, for which it has been paying the metal halite cost and maintenance, although the Town of Lyons has to maintain the lights?

Meanwhile, Supervisor Emmel announced that the LED street light conversion project throughout the former Village has begun and should be completed within a few weeks.

At 6:45 p.m., Councilman Brady moved to open the Public Hearing on the Regional Water Storage Improvement District. 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

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

At 6:50 p.m., Councilman Paliotti moved to close the Public Hearing. 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

Councilman Paliotti then moved to create the Regional Water Storage Improvement District within the Town of Lyons as outlined in the order of Public Hearing. 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

Department Reports were heard. Code Enforcement Officer Richard Bogan reported from the period July 29, 2020, through August 24, 2020:

Building Permits issued: ...26

Building Permits Cleared, compliance issued....20

Violation/Order to Remedy issued: ...9

Violations Cleared:18

Building collapse, condemned arrangements for demolition

Other Permits 2 inflow inspections, 1 public assembly inspection

Appearance Tickets .. 6 appearances:

Zoning and Planning: 2 special permit applications accepted by ZBA prepared for county planning, 3 applications pending acceptance

1 Planning Board meeting

Meanwhile, upon the recommendation of Mr. Bogan, Councilman Paliotti moved to reimburse Mr. Richard Henry of 27 High Street the total of \$450.00 for replacing 225 square feet of sidewalk. 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

Assessor Kayla Sturgill reported:

Property Transfers(Sales) in July-14
10 Arms length usable for valuation purposes
4 quit claim(between family members, owner changes etc)-not valuation usable

School bills will be available next week.

The Assessors portion for the Regional Water Tank. Just waiting on the Water Authority to tell me the number of units for the commercial properties involved since it will be based on usage.

She asked for Board approval to attend the annual conference October 5 & 6. It is virtual online this year, so no travel. It is 3 half day courses, plus updated information from NYSDTF on executive orders and legislation. Total cost is \$200.00.

Councilman Paliotti moved to grant permission. 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

The NYS Supreme Court Appellate Division has ruled that solar structures are considered real property and are taxable. In other words, because solar arrays are constructed with piles driven into the ground and are not intended for removal for the term of the agreement with the land owner and the solar company.

Ambulance Director of Operations, John Wiltsie reported: Total calls in July: 113

Mutual Aid:
Newark-11
Clyde-3
Sodus-1

Staffing issues is the latest problem, I been having shortage which is leading into overtime. EMT shortage throughout NYS. I would like to run a solution by the members of the board. For remaining 4 months. I switched to 12 hrs shifts.

Option#1 :day shift work 12 hrs
night shift 1 medic 12 hrs 6 pm-6 am
1 medic Shrs 6 pm-2am
2am-6am are slowest time for calls.

Option #2 Hire EMS staffing to save on over time.
See Proposal I gave everyone. 3,033.79 is per month. This will also be way to help with state employees allowed for town.

We paid out over \$ 7000.00 in overtime this year not including this payroll. Sometimes overtime can't be avoided due to late calls.

The Town Board decided to allow option 1 for the time being while the Board can further review the option 2 proposal.

Buildings and Grounds Foreman Dale Kenville reported that the department did a number of various project over the last month including picking up garbage in the park as well as adding water to the fountains on a weekly basis. Also, did traffic control for the County while painting lines in Lyons. Also fixed D.I.'s around Town and trimmed bushes at the triangle near the Elementary school and at south canal park (for Dave Burnham.)

Highway Supt. Tim Moore reported that a number of street signs have been ordered for various locations in the former Village, as many have been stolen. They will all be put back up soon. More oil and stoning work needs to be done. The CHIPS paperwork has been turned in for payment reimbursement. Also, culverts are being replaced on Ackerman, Mt. Pleasant, and DeBusse Roads.

Upon the recommendation of Town Zoning Board of Appeals Chairman Jim Wedman, Councilman Brady moved to appoint Ms. Marissa Fisher to the ZBA, replacing Martha Finewood who resigned from the Board earlier this month.

Motion seconded by Councilwoman Greco. Vote:

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

Councilman Brady then moved to authorize the Town Supervisor to execute the Town Highway contract with Teamsters Local 118. 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

Meanwhile, Mr. Wedman has requested that the Town's Zoning Board of Appeals have two alternates to sit on the Board. The Town's current law does not allow for any alternates. The Board discussed whether it was in the best interest of the Town to create two alternates to sit on the Board. After a discussion, it was agreed that this action should not be done until the Town formally adopts the recodification of codes from General Code, which is still a while away.

Town Attorney Villani then mentioned to the Board that the clock is ticking regarding the demolition of the Canal Street property. He explained that our current local law on the books talks about putting the property on the tax roll, however, the county now has a history of placing abandoned property on roll section 8, which doesn't allow the county to cover the cost of taxes. Mr. Villani suggested the Town think about assessing the cost of the demolition to the property owner. If that is not possible, he explained that the County Land bank is offering to pay 50 percent of the cost of demolition. More details are forthcoming. Councilman Brady then moved to allow legal counsel to pursue reimbursement of cost of demolition from the property owner of 50 Canal Street when demolition is complete. Motion seconded by Councilwoman Greco. Vote:

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

Also, Councilman Brady moved to accept the low bid of \$74,500.00 for the demolition of 50 Canal Street upon the review and approval of both the Town Attorney and the County of Wayne. Motion seconded by Councilman D'Amato. Vote:

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

Attorney Villani then reported to the Board that the Providence Mobile Home Park (former canalside Park on old Lyons Rd.) will be appearing before the Zoning Board of Appeals on Aug. 31 looking for approval of a special use permit calling for public sewers to be installed within the park. However, Mr. Villani explained that the ZBA should not consider the request as no sewer district has been created. He has been invited to the ZBA meeting and will alert the ZBA members to that fact.

At 8:40 p.m., Councilman D'Amato moved to go into executive session to discuss a personnel matter. Motion seconded by Councilman Paliotti. Vote:

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

At 8:50 p.m., Councilman D'Amato moved to come out of executive session. 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

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

Sal J. Colatarci

Lyons Town Clerk