

July 26, 2023

The Town Board of the Town of Lyons met for a meeting on July 26, 2023 at 6:30 p.m. at the Town Hall.

Present: Jim Brady, Supervisor
John Paliotti, Councilman
Dan LaGasse, Councilman
Amy Shaffer, Town Clerk
Tim Moore, Highway Superintendent

Absent: Adam Bullock, Councilman
Dan DeWolf, Councilman

Also Present: Anthony Villani, Richard Bogan, Kayla Sturgill, Denise Darcangelis, John Hawman, CJ Britt, Joan Wallis, Mose Mast, Noah Mast, Robert Burns, Lorna LeBlanc, Chris Snyder, Dan Compitello, Alicia Legland, John Cinelli, Carlton O'Mara

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 of the June 28, 2023 and July 12, 2023 meetings.
Councilman LaGasse seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Supervisor Brady voting aye

Councilman LaGasse moved to approve payment vouchers from 6/28/23 through 7/25/23 totaling \$330,790.38. Councilman Paliotti seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Supervisor Brady voting aye

Councilman LaGasse moved to approve the permit submitted by Alicia Linzy to hold a wedding ceremony in the Lyons Central Park on August 6th. Councilman Paliotti seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Supervisor Brady voting aye

At 6:43 PM, Councilman LaGasse moved to open the public hearing for the Mast application for a special permit to operate a Sawmill at 7292 Zurich Road. Councilman Paliotti seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Supervisor Brady voting aye

There were a few questions asked in relation this operation. All questions were answered by the applicant.

As there were no further comments, at 6:50 PM Councilman LaGasse moved to close the public hearing.
Councilman Paliotti seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye

Supervisor Brady voting aye

Supervisor Brady moved to approve the special permit. Councilman LaGasse seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Supervisor Brady voting aye

At 7:00 PM, Councilman LaGasse moved to open the public hearing for the Water District. Councilman Paliotti seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Supervisor Brady voting aye

At 7:05 PM, as there were no comments Supervisor Brady moved to close the public hearing. Councilman Paliotti seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Supervisor Brady voting aye

SEQR part 2 & 3 were reviewed and completed. Councilman LaGasse moved that there was no substantial negative impact. Councilman Paliotti seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Supervisor Brady voting aye

Councilman LaGasse moved to adopt the following resolution:

WHEREAS, the map, plan and report describing the Town of Lyons Town Center Water District have been and continue to be on file in the office of the Town Clerk of the Town of Lyons, for public inspection, and

WHEREAS, after the said Town Engineer duly filed said map, plan and report in the office of the Town Clerk of the Town of Lyons, the said Town Board did, on September 24, 2022, duly adopt an order reciting a description of the boundaries of the proposed district, the maximum amount proposed to be expended for the improvement, the proposed method of financing to be employed, the fact that a plan, map and report describing the same are on file in the town clerk's office for public inspection and specifying that said Town Board shall meet at the Town Hall, 43 Phelps Street, Lyons, New York on the 26th day of July, 2023 for the purpose of conducting a public hearing on such proposal to establish the Water district with the specified improvements and to hear all persons interested in the subject thereof concerning the same, and

WHEREAS, copies of said order were duly published and posted according to law, and said Town Board did, at the time and place specified in said order, duly meet and consider such proposal and heard all persons interested in the subject thereof, who appeared at such time and place, concerning the same, and

WHEREAS, the evidence offered at such time and place requires that the Town Board make the determinations hereinafter made;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Lyons, in the County of Wayne, that it be and hereby is determined as follows:

- (1) The notice of hearing was published and posted as required by law and is otherwise sufficient.
- (2) That all of the property and property owners, within the proposed Water District are benefitted

thereby.

(3) That all of the property and property owners benefitted are included within the proposed Water District.

(4) It is in the public interest to establish the proposed Water District as hereinafter described, and be it

FURTHER RESOLVED, that the Town Board does hereby approve the establishment of a Water District as hereinafter described to be known as Lyons Town Center Water District which is described as follows: the geographic area encompassed by the District includes parcels with access to public Waters within the Former Village, the Route 31 Service Area, and limited properties on the outskirts of the Former Village. The general location is shown in Appendix A to Exhibit 1 and includes a Map, and Plan of the proposed District, including the proposed District Boundary. A description of the District boundary is included in Appendix B to Exhibit 1, and

FURTHER RESOLVED the action being undertaken by the Town, as described in this report is limited to the administrative process to establish a District to encompass the current Water service area(i.e. current customers and those properties with reasonable access to the existing Water system), and

FURTHER RESOLVED that the administrative creation of the Water district does not contemplate or authorize any construction or capital improvements; the future capital improvements described below will be authorized by the Town under separate legislative proceedings, depending upon the scope and timing of those projects, and

FURTHER RESOLVED, that this resolution is subject to a permissive referendum in the manner provided in Article Seven of the Town Law and subdivision 3 of Section 209-e of the Town Law, and be it

FURTHER RESOLVED, that, if required, the Town Clerk be and he hereby is authorized and directed to file a certified copy of this resolution, in duplicate, in the office of the State Department of Audit and Control, at Albany, New York, together with an application, in duplicate, for permission to so create said Water District in the manner and form prescribed by Section 209-f of the Town Law of New York, within ten days after the adoption of this resolution, and be it

FURTHER RESOLVED, that the Town Supervisor be and he hereby is authorized and directed to execute said application on behalf of the Town of Lyons, New York. Councilman Paliotti seconded.
Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Supervisor Brady voting aye

Ms. LeBlanc of 114 Broad Street was present to discuss the application submitted for a conversion from a single to a duplex. She provided the board members with packets of current properties that they own in Lyons. Supervisor Brady expressed how much he is impressed with how they screen their applicants for potential renters. Councilman LaGasse is impressed with how they run their entire operation. He indicated that he would like to look at their apartments as offered by Ms. LeBlanc. Supervisor Brady and Councilman LaGasse will be working with Ms. LeBlanc to schedule a date. The board tabled this application for review at a later date.

Supervisor Brady and the board agreed that the Delaware River Solar Company's application is incomplete. They indicated that they would like Attorney Villani to work with DRS to indicate what the incomplete areas are on the application. Attorney Villani agreed that he will move forward as directed by the board with what he feels is incomplete.

Councilman LaGasse moved to schedule a public hearing for the 202-b sewer district improvements for August 23, 2023 at 7:00 PM. Councilman Paliotti seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye

Supervisor Brady voting aye

Councilman LaGasse wants to wait until the entire board is present to discuss the Moratorium on the conversions. This item was tabled.

Department reports were reviewed by the Town Board. Public inspection of said reports is available at the Town Hall upon request.

Councilman LaGasse moved to allow Superintendent Moore to surplus the auto car and a dump truck. Councilman Paliotti seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Supervisor Brady voting aye

Supervisor Brady updated the board on the Walkability Study. It should be complete in August/September.

The Town Clean Up Event will take place on Thursday, August 10th from 9 AM-3 PM and Saturday, August 12th from 9 AM-1 PM with a shredding service available courtesy of Lyons National Bank on Saturday the 12th.

As there was no further business at 7:49 PM Councilman Paliotti moved to adjourn the meeting. Councilman LaGasse seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Supervisor Brady voting aye

Amy L. Shaffer
Lyons Town Clerk