

June 28, 2023

The Town Board of the Town of Lyons met for a meeting on June 28, 2023 at 6:30 p.m. at the Town Hall.

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

Absent:

Also Present: Richard Bogan, Anthony Villani, Kayla Sturgill, Denise Darcangelis, Tim Moore, Judy Bailey, John Hawman, Ryan Robbins, Carolyn Cook, Danny Savage, Christina Savage, Joan Wallis, Christine Cook, Dan Compitello, Alicia Legland, Diane Marquis

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 Bullock moved to accept the minutes of the May 31, 2023 meeting. Councilman Paliotti seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Councilman Bullock voting aye
Councilman DeWolf voting aye
Supervisor Brady voting aye

Councilman LaGasse moved to approve payment vouchers from 6/1/23 through 6/27/23 totaling \$124,454.01. Councilman DeWolf seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Councilman Bullock voting aye
Councilman DeWolf voting aye
Supervisor Brady voting aye

Councilman Paliotti moved to approve all permits submitted to hold the 2023 Peppermint Days event next month on July 14th, 15th and 16th. Councilman Bullock seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Councilman Bullock voting aye
Councilman DeWolf voting aye
Supervisor Brady voting aye

Councilman LaGasse made a motion to approve sidewalk reimbursement for 42 Catherine Street in the amount of \$544 (272 square feet). Councilman DeWolf seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Councilman Bullock voting aye
Councilman DeWolf voting aye
Supervisor Brady voting aye

Councilman Dewolf moved to schedule a public hearing for the Mast application for July 26th at 6:40 PM. Councilman Paliotti seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Councilman Bullock voting aye
Councilman DeWolf voting aye
Supervisor Brady voting aye

Councilman DeWolf moved to schedule the public hearing for the Water District on July 26th at 7:00 PM. Councilman LaGasse seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Councilman Bullock voting aye
Councilman DeWolf voting aye
Supervisor Brady voting aye

Councilman Paliotti moved to approve the SEQR Part 1 for the Water District. Councilman Bullock seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Councilman Bullock voting aye
Councilman DeWolf voting aye
Supervisor Brady voting aye

Councilman Bullock moved to schedule a public hearing for the proposed Local Law No. 1 Of 2023: Temporary Moratorium on the review and Decision of Applications for Variances, Subdivision, Site Plan Approval and Special Permits in a Part of the Town of Lyons, otherwise known as the Moratorium for July 12th at 6:30 PM. Councilman Paliotti seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Councilman Bullock voting aye
Councilman DeWolf voting aye
Supervisor Brady voting aye

Councilman LaGasse moved to accept the application from LeBlanc/Erway. Councilman DeWolf seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Councilman Bullock voting aye
Councilman DeWolf voting aye
Supervisor Brady voting aye

Councilman DeWolf moved to approve Supervisor Brady signing the acceptance of the proposal from Skanex for the sewer video inspection services not to exceed \$34,356.45. Councilman Bullock seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Councilman Bullock voting aye
Councilman DeWolf voting aye
Supervisor Brady voting aye

Councilman DeWolf moved to authorize Supervisor Brady to sign the agreement with MRB for the 2023 Consolidated Funding Application. Councilman Paliotti seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Councilman Bullock voting aye
Councilman DeWolf voting aye
Supervisor Brady voting aye

Councilman LaGasse moved the following Consolidated Funding Application Resolution;

WHEREAS, Town of Lyons (Town), Wayne County, supports the submission of a 2023 Consolidated Funding Application (CFA) on behalf of the Town, for the Wastewater Infrastructure Engineering Planning Grant (EPG) program to conduct a feasibility study for the consolidation of wastewater treatment services with the Village of Newark (Village); and

WHEREAS, the New York State Environmental Facilities Corporation (EFC), provides a competitive statewide reimbursement grant program to assist in the initial planning of eligible Clean Water State Revolving Fund (CWSRF) water quality projects; and

WHEREAS, the Town meets the municipal median household income thresholds for EPG eligibility; and

WHEREAS, the 2023 EPG program offers grants of up to \$50,000 with a required local match of at least 20% of the total grant award ; and

WHEREAS, if funding under the EPG is received it will be used for the preparation of a Preliminary Engineering Report (PER) to study the potential consolidation of wastewater treatment services with the Village including recommendations for a water quality project, if warranted based on the study; and

WHEREAS, if the PER recommends a water quality project to advance consolidation of wastewater services with the Village, the PER, when assembled with other pertinent application materials, will enable the Town to seek further financing for construction of the recommended water quality project through the CWSRF or other funding programs to advance the required water quality improvements.

NOW THEREFORE BE IT RESOLVED, that the Town Board, on behalf of the Town, identifies the Town Supervisor as the authorized representative, able to execute necessary documents relative to and as required for the CFA; and

BE IT FURTHER RESOLVED, the Town Board shall provide a match of at least 20% of the total grant funding awarded in the form of in-kind services or cash contributions appropriated from the Town Sewer Fund, bond proceeds, or other available funding sources; and

BE IT FURTHER RESOLVED, that the Town Board for the Town of Lyons, recognizes and fully supports the submission of the 2023 CFA for an EPG for the study referenced above.

Councilman Paliotti seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Councilman Bullock voting aye
Councilman DeWolf voting aye
Supervisor Brady voting aye

Councilman LaGasse moved the following Consolidated Funding Application SEQR Resolution;

WHEREAS, the Town of Lyons (Town) intends to submit a 2023 Consolidated Funding Application (CFA) for the Wastewater Infrastructure Engineering Planning Grant (EPG) program to conduct a feasibility study and prepare a Preliminary Engineering Report (the “Action”) for the consolidation of wastewater treatment services with the Village of Newark (Village); and

WHEREAS, the Action is an engineering study necessary for the formulation of a proposal for action, and does not commit the Town to commence, engage in or approve such action, and is therefore a Type II action under the New York State Environmental Quality Review Act (SEQRA); and

WHEREAS, Type II actions have been determined not to have a significant impact on the environment or are otherwise precluded from environmental review under the Environmental Conservation Law.

NOW, THEREFORE, BE IT RESOLVED THAT, the Town Board does hereby classify the Action as a Type II Action under 6 N.Y.C.R.R. Section 617.5 [c] [24] [27] of the SEQRA regulations; and

BE IT FINALLY RESOLVED THAT, the Town Board in making this classification has satisfied the procedural requirements under SEQRA and directs this Resolution to be placed in the file for this Action.

Councilman Paliotti seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Councilman Bullock voting aye
Councilman DeWolf voting aye
Supervisor Brady voting aye

Councilman Bullock moved to authorize Supervisor Brady to sign the Pumping Station Rehabilitation Project Proposal with the MRB Group. Councilman DeWolf seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Councilman Bullock voting aye
Councilman DeWolf voting aye
Supervisor Brady voting aye

Councilman LaGasse moved to authorize Supervisor Brady to sign the Proposal for Professional Services with MRB to perform multi-building condition assessments. The purpose of the project is to assess the buildings that are targeted for renovation in the Town's Canal St. District. The assessments have been requested to support the grants that the town is either applying for or has been awarded.+ Councilman Bullock seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Councilman Bullock voting aye
Councilman DeWolf voting aye
Supervisor Brady voting aye

Dan Compitello of Delaware River Solar (DRS) presented the company's latest, revised proposal for the solar projects on the Smith Farm property. Councilman LaGasse moved to refer the updated proposal to the Town Planning Board and to Bob Hutteman for review. Councilman Paliotti seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Councilman Bullock voting aye
Councilman DeWolf voting aye
Supervisor Brady voting aye

At the request of the applicant, the board will not be referring this update to the County Planning Board.

Discussion of the Chrissantha Proposal for the Canalview Drive project ensued. The Town Board agreed to move forward on this project.

Councilman LaGasse reviewed the Town Center 3 & Town Center 4 boundaries. Attorney Villani spoke in reference to redefining zoning districts/zoning map. The Board gave direction to Attorney Villani as to how they would like to see a Local Law constructed to define the two Town Center Districts.

Councilman LaGasse moved to revise the zoning map and approve the proposal from MRB not to exceed \$2,320. Councilman Bullock seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Councilman Bullock voting aye
Councilman DeWolf voting aye
Supervisor Brady voting aye

Supervisor Brady informed the board that he had a discussion with Kevin Rooney of Wayne County in relation to the cleanup of Water Street hill. He stated that the County will remove the old fencing and put up a new guide rail.

Councilman LaGasse brought forth concerns with the Jackson Hill Road and Pleasant Valley Road intersection. He would like an action plan for safety improvements. Supervisor Brady suggested having Brian Frye look at it.

Councilman DeWolf moved to approve the stormwater maintenance agreement for the Dollar General subject to changing the address from 1 Route 31 to 7 Route 31 and correcting the tax map number.

Councilman LaGasse seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Councilman Bullock voting aye
Councilman DeWolf voting aye
Supervisor Brady voting aye

Councilman Paliotti brought forth concerns with the out of control weed problem throughout the town. He would like to see the town figure out a better way to address and handle the issue. Flame weeding with a large propane torch was suggested. Supervisor Brady will be working and coordinating with Superintendent Moore on the use of flame weeding to bring the problem under control.

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

Councilman LaGasse will look into getting a gate for the opening entrance to the closed Cole Road landfill as there have been observations of vehicles going in and out of there.

The Board gave some updates on ongoing "old" business:

-Walkability Study – Still in process however, Supervisor Brady is looking for a new contact as the previous contact retired.

- Building Safety Inspector (BSI) – Councilman Paliotti moved to advertise the position. Councilman Bullock seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Councilman Bullock voting aye
Councilman DeWolf voting aye
Supervisor Brady voting aye

1202 Act and the Food Truck item – Attorney Villani is all set with how to proceed with these two items.

Supervisor Brady discussed how bad the Northeast side of the Route 14 bridge is with overgrowth of weeds and brush. He stated that Blades and Spades gave a quote of \$2,000 for the clean-up. The board approved up to \$2,000 to come from ARPA funds.

Supervisor Brady spoke about a statue that is getting made and donated by George McGraw to the Town and will work with the Mr. McGraw to determine the best location to place said statue.

As there was no further business at 8:30 PM Councilman Paliotti moved to adjourn the meeting.
Councilman Bullock seconded. Vote:

Councilman Paliotti voting aye
Councilman LaGasse voting aye
Councilman Bullock voting aye
Councilman DeWolf voting aye
Supervisor Brady voting aye

Amy L. Shaffer
Lyons Town Clerk