

Aug. 29, 2018

The Town Board of the Town of Lyons met for a meeting on Aug. 29, 2018, at 6:30 p.m. in the Town Board meeting room.

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

Also Present: Joan Delaro, Bob Milliman, Jason DeVito, Dale Kenville, Diane Devlin, Kayla Sturgill, Tony Villani, Jessica Graham, Michaelene Wojtkowski, Richard Bogan, Bob Briggs

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 approve the minutes from the July 25, 2018 meeting. Motion seconded by Councilman Emmel. Vote:

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

Michaelene Wojtkowski then addressed the Board regarding her desire for a "no Parking" to be placed in front of her residence at 24-26 Broad Street. She explained that vehicles park right directly in front of the residence and it prevents her from getting in and out of her driveway. After a few questions from the Board, Councilman D'Amato moved to grant her the request. Motion seconded by Councilman Emmel. Vote:

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

A request from Bob Briggs concerning the Town adopting a local law to control barking dogs was discussed. He had addressed the Board with the same issue last month. It was explained to him that the Town is reviewing a proposed dog control local law that would address his concern, as there currently is no such law outside the former Village limits. The matter will be discussed after the full Board has had a chance to read the proposed local law.

Joan Delaro and Diane Devlin then addressed the Board explaining that the Lyons Complete Street program has received a \$900.00 grant for purposes of enhancing the William Street student drop off and cross walks at the Elementary School. She presented a proposed policy regarding Complete Streets compliance in the Town. She mentioned that the Governor is encouraging adoption of such a program. After discussion, Councilwoman Greco moved the following:

WHEREAS; THE Town of Lyons Town Center will be a welcoming and thriving mixed-use business district that is well connected and integral to the Town's community life. Its carefully designed and well-

maintained buildings and outdoor spaces will be filled with a complimentary mix of businesses and gathering places that encourage regular patronage by residents and frequent stops by visitors. Its historic character and unique details will contribute to the community's identity and support walking, window-shopping and friendly interaction; and

WHEREAS; the Town of Lyons shall plan for, design, construct, operate and maintain appropriate facilities for all transportation users in all new construction, retrofit maintenance and improvement projects; and

WHEREAS; streets that integrate multiple transportation choices for pedestrians and bicyclists, with special consideration for children, the elderly and people with disabilities, contribute to the public life of a community, sustainable economic development and efficient movement of people and goods; and

WHEREAS; the Town of Lyons shall, in the Town Center, to the maximum extent practical, scope, plan, design, construct, operate and maintain all streets to provide a comprehensive and integrated network of facilities for all users of all abilities; and

WHEREAS; any exception to applying this Complete Streets Policy to a specific roadway project must be approved by the Town Council with documentation of the reason for the exception. Exceptions may be made when the project involves a roadway on which non-motorized use is prohibited by law. In this case, an effort shall be made to accommodate pedestrians and bicyclists elsewhere; and

WHEREAS; this policy will create a comprehensive, integrated, connected transportation network for the Town of Lyons that balances access, mobility, health and safety needs for all residents. Planning, funding, designing, constructing, managing and maintaining a complete multi-modal network, ensures this; and

WHEREAS; it is the intent of this policy to foster partnerships with the state, county, school district, citizens, businesses, interest groups and neighborhoods to implement complete streets; and

WHEREAS; the Town of Lyons shall adapt, develop and adopt departmental policies, design criteria, standards and guidelines based upon recognized best practices in street design, construction and operations including but not limited to the latest editions of American Association of State Highway Transportation Officials (AASHTO) A Policy on Geometric Design of Highways and Streets; MSHTO Guide for Planning, Designing, and Operating Pedestrian Facilities; AASHTO Guide for the Development of Bicycle Facilities; Institute of Transportation Engineers (ITE) Designing Walkable Urban Thoroughfares: A Context Sensitive Approach; National Association of City Transportation Officials (NACTO) Urban Bikeway Design Guide; U.S. Access Board Public Right-of-Way Accessibility Guidelines; Highway Capacity Manual and Highway Safety Manual; and

WHEREAS; the implementation of this policy shall reflect the context and character of the surrounding built and natural environments while enhancing the appearance of such. In doing so, the Town shall consider methods of providing development flexibility within safe design parameters such as context-sensitive design solutions and shall attempt to employ all solutions consistent with and sensitive to the context of the project; and

WHEREAS; Complete Streets should be continuously evaluated for success and opportunities for improvement sought. This policy encourages the regular evaluation and reporting of implementing complete streets through the following performance measures:

- Increase in the share of bicycles, pedestrians and transit users;
- Crash data;
- Use of new projects by mode;
- Compliments and complaints;
- Linear feet of pedestrian accommodations built;
- Number of ADA accommodations built;
- Miles of bike lanes/trails built or striped;
- Number of transit accessibility accommodations built;
- Number of street trees planted;
- Number of building permits issued along new complete street;

- Number of exemptions from this policy; and

WHEREAS; the Town of Lyons shall implement the following steps to ensure successful implementation of complete streets:

- Inventory: The Town will maintain a comprehensive inventory of the pedestrian and bicycle infrastructure and will prioritize projects to eliminate gaps in the sidewalk and bikeway networks.
- Capital Improvement and Maintenance Project Prioritization: The Town will reevaluate capital improvement and maintenance project prioritization annually to encourage implementation of pedestrian and bicycle improvements.
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- Staff Training: The Town will train all pertinent staff on the content of the complete streets principles and best practices for implementing the policy.
- Coordination: The Town will utilize inter-departmental project coordination to promote the most responsible and efficient use of fiscal resources for activities that occur within the public right of way.
- Street Manual: The Town will create and adopt a Complete Streets Design Manual to support implementation of this policy.
- Funding: The Town will actively seek sources of appropriate funding to implement complete streets; now therefore be it

RESOLVED; that the Town of Lyons Town Council adopts the Complete Street Policies listed above as an official policy of the Town, and

RESOLVED; that this resolution shall take effect immediately.

In addition, Councilwoman Greco moved to donate \$200.00 to the program. Motion seconded by Councilman Paliotti. Vote:

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

The Board then reviewed a request from last month's meeting from Jessica Graham to harbor quails at her residence on Maple Street. After a discussion, Councilman D'Amato moved to deny the request. Motion seconded by Councilwoman Greco. Vote:

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

The Board then reviewed a letter of intent from Eastern Wayne EMS to purchase the Town's 2012 E450 ambulance at a price of \$18,000.00. The Town had agreed to purchase a new ambulance at the July meeting, subject to a 30 day permissive referendum. The 30 days has expired allowing the Town to move forward with the purchase. After a discussion, Councilwoman Greco moved to sell the 2012 ambulance to Eastern Wayne EMS at the price of \$18,000.00, pending delivery of Town's new ambulance. Motion seconded by Councilman Paliotti. Vote:

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

Councilman Paliotti then moved to approve payment of General fund vouchers #413 through #463 totaling \$89,992.65

Motion seconded by Councilwoman Greco. Vote:

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

Councilman Emmel then moved to approve payment of Highway fund vouchers #129 through #156 totaling \$271,260.05

Motion seconded by Councilman Paliotti. Vote:

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

Department reports were heard. Code Enforcement Officer Richard Bogan reported between July 24 and Aug. 28, 2018, 17 building permits were issued and 73 violations/order to remedy were issued. Meanwhile, 66 violations were closed. Also, 3 appearance tickets were issued.

Assessor Kayla Sturgill reported there were 12 property transfers in July. Also, she reported that she received a score of 98 on the exam she took last month at her Cornell seminar. Yesterday, she took a test for the Mass Appraisal course taken on-line.

NYS has changed the way to handle the renewals for the Enhanced STAR and the senior citizen exemption this year. Previously renewals were sent by the local Assessor's office and to determine eligibility and administered the exemption. New this year, everyone with an Enhanced STAR exemption must sign up to have NYS electronically verify their income and eligibility. Renewals will be mailed this year like before, but there will be new forms required, once those are completed and returned, the data will be upload so NYS can verify their income meets requirements. Next year the Enhanced STAR will be electronic, and the local Assessor will just have to notify the state of any exemption removals that took place. The Senior Exemption (the additional benefit for low income households) will have their eligibility for the Enhanced STAR determined by NYS, but the local office still review their income in office to make sure they qualify for the additional benefit. No longer is the exemption inclusive on one form, now there will be 2 separate steps. NYS will notify electronically who is/is not eligible, and the Assessor will have to remove the exemption from the tentative assessment roll before it gets published.

Highway Supt. Tim Moore reported that milling and paving on the scheduled streets has been completed. He is obtaining quotes on some patch work for a couple other streets, including Canal. The Canal path bridge abutments are in. Beams will be set soon.

Upon the recommendation of Mr. Moore, Councilman Emmel moved to surplus the 2009 Ford F550 and take it to the municipal auction on Oct. 6. Motion seconded by Councilman D'Amato. Vote:

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

Councilman Emmel then moved to transfer \$5,500.00 from DA5140.1- brush and weeds to DA5130.1- overtime. Motion seconded by Councilman Paliotti. Vote:

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

In his written report, Buildings and Grounds Foreman Ben Follette reported on various projects conducted over the month including helping with the milling and paving, maintenance on Town equipment, patching holes, and work on the canal trail bridge.

Code Enforcement Officer Richard Bogan then reported on a meeting he had with Councilmen Paliotti and D'Amato, along with Town Attorney Villani regarding the inspection of double and single non occupied rental units in Lyons. Currently, only apartment buildings housing three or more units are inspected by the Town CEO. It is the Town Boards feeling that all apartments, down to non-occupied singles, should be inspected, along with land contracts, if doable. The necessary paperwork will be drawn up by the Town Attorney to have a local law ready for a public hearing in October. Councilman Paliotti moved that the above move forward. Motion seconded by Councilman D'Amato. Vote:

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

Councilman Paliotti then moved to hire Tracy Brown of Lyons as the part time Animal Control Officer and part time school crossing guard at the Elementary School effective Sept. 4, 2018. Motion seconded by Councilman D'Amato. Vote:

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

Councilman Paliotti then presented the Board with quotes he received to repair the roof at the storage building at the Rural Cemetery on Spencer Street. Four quotes were received. After discussion, Councilman Paliotti moved to accept the \$4,200.00 quote from Kanga Roof. The price includes replacing the entire roof. In addition, new flashing, removal of chimney, and counter flash, repair stucco to be completed by Richie Santelli at an additional cost of \$1,500.00. Motion seconded by Councilman Emmel. Vote:

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

Upon the recommendation of Zoning Board of Appeals Chairman Jim Wedman, Councilman D'Amato moved to appoint Mr. Robert Milliman as an alternate to sit on the ZBA. Motion seconded by Councilman Paliotti. Vote:

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

Town Clerk Colatarci then explained that the current lease on both the postage machine and the folder/stuffer machine will expire on Sept. 29, 2018. Two quotes were obtained. One from Pitney Bowes totaling \$206.84 per month for a 60 month lease. The other quote, from Neopost, totaling \$181.99 per month for 63 months. After review, Councilman D'Amato moved to accept the quote from Neopost. Motion seconded by Councilman Paliotti. Vote:

Councilman D'Amato voting aye

Councilman Paliotti voting aye
Councilman Emmel voting aye
Councilwoman Greco voting aye
Supervisor Manktelow voting aye

Town Attorney Villani then explained to the Board it needs to pass a resolution recognizing that the Town's Building and Grounds Dept. is interested in joining the Teamsters Union Local 118. After a discussion, Councilman Paliotti moved the following resolution, seconded by Councilman Emmel:

WHEREAS, Teamsters Local 118 has submitted to the New York State Public Employment Relations Board a petition for certification showing interest from a majority of all full-time and regular part-time Public Works Technicians (PWT), PWT Building and Grounds employees, and

WHEREAS, by letter dated July 10, 2018, the New York State Public Employees Relations Board has certified the validity of such petition, and

WHEREAS, the Town of Lyons is willing to voluntarily recognize the unit as described above on the understanding that Teamsters Local 118 will withdraw the petition, it is

RESOLVED that the Town Board of the Town of Lyons voluntarily recognizes Teamsters Local 118 as the bargaining agent for the unit subject to the petition, which is defined as:

Included: All full-time and regular part-time Public Works Technicians (PWT), Pwt Building and Grounds employees.

Excluded: All others defined by the Act.

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

Supervisor Manktelow then alerted the Board to an open house, hosted by Midland Asphalt on Sept. 15, 2018 from 11 until 2. The Board is invited to attend.

Councilman D'Amato then moved to accept the resignation of Mary Smith from the Town's Zoning Board of Appeals effective Sept. 18, 2018 as she will be moving to Fairport, NY. Motion seconded by Councilwoman Greco. Vote:

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

The Board then reviewed a proposal from Mr. Tom Herendeen offering to donate a tree (up to \$100.00) to replace the one that died in front of Dobbins Drug Store on William Street. He suggested 3 species that would thrive in the location...London Plane Tree, Hackberry, and Honey Locust. He provided information about each type of tree. However, it was noted that Sean Dobbins has requested that no tree be placed there and instead perhaps place a bicycle rack in its place. Councilman Paliotti said he would check with Mr. Dobbins on whether he would like a tree or a bike rack.

Councilman Emmel then announced to the Board that he would be very interested in seeking the appointment to Town Supervisor should Mr. Manktelow successfully win the election to NYS Assembly.

At 8:45p.m., Councilman Emmel moved to go into executive session to discuss investigation of a potential criminal offense as well as the employment history of a certain employee. Motion seconded by Councilman Paliotti. Vote:

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

Supervisor Manktelow voting aye

At 10:10 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 Emmel voting aye
Councilman Paliotti voting aye
Supervisor Manktelow voting aye

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

Sal J. Colatarci

Lyons Town Clerk