

Aug. 28, 2019

The Town Board of the Town of Lyons met for a meeting on Aug. 28, 2019, at 6:30 p.m. in the Town Board meeting room.

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: Jason DeVito, Cory Reynolds, Aaron McIntosh, Don Putnam, Dale Kenville, Bob Milliman, Joan Wallis, Glen Wasman, Kayla Sturgill, John Wiltsie, Casey Carpenter, Edson Ennis, Dan LaGasse, Buzz and Sue Pullen, Phyllis Paliotti, Richard Bogan, Tony Villani

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 accept the minutes from both the July 24 and Aug. 15 meetings. Motion seconded by Councilwoman Greco. Vote:

Councilman Paliotti voting aye  
Councilwoman Greco voting aye  
Councilman Brady voting aye; abstain on July 24 meeting (not present)  
Councilman D'Amato voting aye; abstain on Aug. 15 meeting (not present)  
Supervisor Emmel voting aye

Mr. Don Putnam, the Supt. of Schools at Lyons then made a presentation to the Board. He explained that the school is looking to construct a metal sculpture, done by the students at LCS, and place it in the triangle adjacent to the Elementary School. He explained that the sculpture would form a working partnership with LaGasse Works and the Town of Lyons to create a long lasting work of art that represents the Lyons Community. The Town Board supports the project and is looking forward to working with the school district to complete the project.

Mr. Edson Ennis then asked the Board if there would be any issues in the future regarding the burial of family members in plots at the Rural Cemetery. As he can produce no deed to the ownership of the graves, he was concerned that at some point in the future, the Town could or would challenge the ownership. Town Attorney Villani stated that this current Board can not speak for a future Town Board but believes of greater concern might be another lot owner could challenge the claim. Mr. Edson thanked the Board for its time.

Corey Reynolds and Aaron McIntosh then addressed the Board regarding new signs welcoming people to Lyons. They attended the last regular Board meeting with some suggestions for new signage at various locations in Lyons. The Board asked them to return at this meeting with prices. Total cost per sign would be \$2,500.00 including both artistic work as well as the construction and install. Supervisor Emmel stated there is no money in this year's budget for signage but would consider putting money in the 2020 budget. The Board thanked both men for their time.

Joan Wallis, a member of the Town Planning Board addressed the Town Board regarding grant money for LED lighting within the township. Supervisor Emmel mentioned to her that the Town is already on board with applying for the grant money and has been in contact with the State Power Authority, as a

representative from there addressed the Board regarding this matter last year. Ms. Wallis said she would be willing to work with the Town Board on the matter.

The Board then discussed moving the Memorial monument that is currently in front of the now closed American Legion on Water Street. The building has been purchased by Glenn Wasman. He has informed the Town that he is in no hurry to get the monument moved and in fact, has had discussions with Brian Manktelow about possibly placing the monument at a war/Veterans museum Mr. Manktelow is in the process of developing on Water Street. Though this museum may not become reality for a couple of years, there is hope the monument might go there. In addition, Mr. Wasman offered to house the needed Wi-Fi system for boaters at the location as well.

The Board then discussed moving some Town Hall offices around within the building to create an open space for Judge DeSain. The matter was first discussed a couple months ago. Various options were discussed. It is hoped that the moving process can begin shortly.

Daniel Cataldi, the owner of 43 Jackson Street, has requested reimbursement for sidewalk replacement pursuant to section 23.21 of the former Village Code. That reimbursement is set at \$2.00 per square foot. Mr. Cataldi replaced 280 square feet square feet of public sidewalk along the north side of Jackson Street. He is due a reimbursement in the amount of \$560.00. CEO Richard Bogan recommended the request be granted. As a result, Councilman Brady moved to grant the reimbursement. 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

Town Atty. Tony Villani then discussed in great detail a Canal Permit and agreement that was signed between the former Village and the State canal Corp back in Dec. 2007. The work and use and occupancy permit established an agreement whereby the former Village was responsible for the construction of docks on the north and south side of the canal between the Route 14 Bridge and the Leach Road bridge. Also to update street lamps and install various marine style outlets and provide parking facilities, among other things. Also, the agreement required that the Village maintain the property between the Route 14 and Leach Road bridges. The permit has since expired and there are many questions regarding what responsibilities are required by the Town now that the Village is dissolved. It was suggested that Town Attorney Villani set up a meeting with the Canal Corp to discuss the issue.

Supervisor Emmel then requested that budget workshops be scheduled to work in the proposed Town 2020 budget. It was decided that workshops would be held Sept 11 and Sept 18. Both at 6:30 p.m. in the Board Room.

Town Atty. Villani then gave an update on the status of the unsafe building at 42 Elmer Street, often referred to as the old Cold Storage building. Mr. Villani referred to a recent letter provided by Code Enforcement Officer Richard Bogan regarding a brief overview of the condition of the structure, referencing Mr. Bogan's recommendation that immediate action be taken to mitigate the hazards surrounding the building by causing the demolition of the building. (A copy of the letter/recommendation is attached to the minutes). After a discussion and questions, Councilman D'Amato moved to accept the letter/report from Code Enforcement Officer Richard Bogan to take down the building. Motion seconded by Councilwoman Greco. Vote:

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

Councilwoman Greco then moved to authorize Mr. Bogan to demolish the building. Motion seconded by Councilman D'Amato. Vote:

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

Councilman Paliotti then moved to contract with the Regional Land Bank to pay up to \$750,000.00 to demolish and remove the structure at 42 Elmer Street and to allow the Town Supervisor to sign all documents related to the agreement with the Land Bank. 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 D'Amato then moved to authorize the Code Enforcement Officer to use the contract with the Land Bank as the vehicle to demolish the building. 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

Department reports were heard. Code Enforcement Officer Richard Bogan reported:  
From July 23 through Aug. 26...

Building Permits issued: ... 24  
Building Permits Cleared, compliance issued....17

Violation/Order to Remedy issued: ...46  
Violations Cleared: .....34

Other Permits: 11 inflow inspections,  
Operating permit inspections.... Ongoing re-inspections, 22 fire safety inspections

Appearance Tickets ...  
8793 Lyons Marengo Road, un-secure farm animals  
Turn off power 7537 Old Lyons Rd, monitor progress

Zoning and Planning: planning meeting and zoning meeting  
ISO Meeting

Assessor Kayla Sturgill reported Property Transfers(Sales) July-totaled 25  
9 Arms length usable for valuation purposes  
7 quit claim(between family members, owner changes etc)-not valuation usable  
4 transfers to the land bank from county auction properties  
2 properties purchased from county auction  
1 foreclosure  
1 reo purchase from bank  
1 purchase of county ROW

It has been another quiet month in the office. She has been catching up on filing and scanning.

School bills will be in hand next week, she is anticipating questions on exemptions, or why tax bills are so high.

The school has been updated with this month's transfers so they can make appropriate changes to the bills.

The water authority also gets notified of transfers every month to update their records as well.

September begins the season of exemptions, reviewing them and getting the new renewals ready to be mailed.

Director of Ambulance Operations, John Wiltsie reported there were 114 ambulance calls in July. He has mailed out the paperwork to the State Health Dept. to renew the narcotics license.

Mr. Wiltsie reported that he received 3 quotes to install the back-up generator at the base. Low quote was from AA Electric with a price of \$8,400.00 plus between \$150.00 and \$400.00 if NYSEG has to change out a gas meter. After a discussion, Councilman Brady moved to grant permission. 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

Mr. Wiltsie is also requesting permission to have emergency lights installed in his personal vehicle so they are available if he needs to respond from his home. The Board agreed with his request.

Also, Life pak 15 was in need of repair at a cost of \$2,100.00. He called Councilwoman Greco for approval.

Highway Supt. Tim Moore reported that oil and stone resurfacing is done for now, though he would like to do a couple of small jobs if the Town can schedule the oil truck. Truck #6 was taken to the shop for some repair work to the wire harness on the engine. Also, Syracuse Signal will be in town next week to do more work on the stop light downtown. The new roadside mower is working well.

Mr. Moore explained that \$5,000.00 was cut from his sand budget in this year's budget and requested that the Board pass a resolution to transfer \$5,000.00 from his fuel fund back to the sand fund so he can buy more sand this year. After a discussion, Councilman Paliotti moved to transfer \$5,000.00 from 5148.44 (fuel) to 5148.43 (sand). 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

Buildings and Grounds Foreman Dale Kenville reported brush pick up continues around town, cross walks are painted, trees around town have been trimmed, fixed and replaced a number of street signs, placing new ADA's as new sidewalks are completed, the fountains at the park have been cleaned and updated with new pumps, and assisted with oil and stoning of roads.

Councilman D'Amato moved to approve payment of General Fund vouchers #450 through #509 totaling \$88,192.71

Motion seconded by Councilwoman Greco. Vote:

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

Councilman Brady voting aye  
Supervisor Emmel voting aye

Councilman Brady moved to approve Highway Fund Vouchers #142 thru #165 totaling \$99,605.34  
Motion seconded by Councilman Paliotti. Vote:

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

Councilman D'Amato then moved to allow the Supervisor to sign a change order with Roadtec for grounding electric service as part of the lead service program being conducted in the Town. 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 8:30 p.m., Councilman D'Amato moved to go into executive session to discuss a medical and employment matter regarding a particular person. Motion seconded by Councilwoman Greco. Vote:

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

At 8:55 p.m., Councilman Paliotti moved to come out of executive session. 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

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

Sal J. Colatarci

Lyons Town Clerk