

Dec. 29, 2021

The Town Board of the Town of Lyons met for a meeting on Dec. 29, 2021 at 6:30 p.m. at the Town Hall.

Present: Jake Emmel, Supervisor
John Paliotti, Councilman
Joanne Greco-Eddy, Councilwoman
James Brady, Councilman
Sal Colatarci, Town Clerk
Tim Moore, Highway Supt.

Also Present: Jim Wedman, Cathy Emmel, Matt Horn, John Wiltsie, Dale Kenville, Richard Bogan, Joan Wallis, John Hawman, Dan LaGasse, John Plotts, Dan DeWolf, Rich Henry, Adam Bullock, Tony Villani

Absent: Ralph D'Amato Councilman

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 Nov. 23, 2021 meeting. Motion seconded by Councilwoman Greco Eddy. Vote:

Councilman Paliotti voting aye
Councilwoman Greco-Eddy voting aye
Councilman Brady voting aye
Supervisor Emmel voting aye

Supervisor Emmel announced that the Town 2022 Organizational meeting will be held on Wed. Jan. 5, 2022 at 6:30 p.m. in the Town Hall.

Councilman Brady then moved to accept the resignation of Mr. Jim Wedman as Chairman of the Zoning Board of Appeals, his position on the Town's Assessment Board of Review, and his position as the Town's representative on the County Planning Board. Motion seconded by Councilman Paliotti. Vote:

Councilman Brady voting aye
Councilman Paliotti voting aye
Councilwoman Greco- Eddy voting aye
Supervisor Emmel voting aye

Councilman Paliotti then moved to accept the resignation of Rich Henry as Chairperson of the Town's Planning Board. Motion seconded by Councilwoman Greco-Eddy. Vote:

Councilman Paliotti voting aye
Councilwoman Greco-Eddy voting aye
Councilman Brady voting aye
Supervisor Emmel voting aye

Councilwoman Greco –Eddy then moved to appoint Mr. Rich Henry as Chairman of the Zoning Board of Appeals, following his resignation as Chair of the Town Planning Board. Motion seconded by Councilman Brady. Vote:

Councilwoman Greco Eddy voting aye
Councilman Brady voting aye
Councilman Paliotti voting aye
Supervisor Emmel voting aye

Councilman Brady then moved to appoint Ms. Joan Wallis as Chairman of the Town Planning Board, to replace Rich Henry from that position. Motion seconded by Councilman Paliotti. Vote:

Councilman Brady voting aye
Councilman Paliotti voting aye
Councilwoman Greco Eddy voting aye
Supervisor Emmel voting aye

Councilwoman Greco-Eddy then moved to reappoint Mr. Frank Quill to the Assessment Board of Review for another 5 year term. Motion seconded by Councilman Paliotti. Vote:

Councilwoman Greco-Eddy voting aye
Councilman Paliotti voting aye
Councilman Brady voting aye
Supervisor Emmel voting aye

Councilman Paliotti moved to approve payment of General Fund vouchers #594 through #652 totaling \$83,003.33.

Motion seconded by Councilwoman Greco-Eddy. Vote:

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

Councilman Brady moved to approve payment of Highway Fund vouchers #238 through #256 totaling \$103,504.74

Motion seconded by Councilman Paliotti. Vote:

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

Councilman Paliotti then moved to grant permission to Mr. Richard Bogan to attend the Fingerlakes Building Officials educational conference training in March 2022. Motion seconded by Councilman Brady. Vote:

Councilman Paliotti voting aye
Councilman Brady voting aye
Councilwoman Greco-Eddy voting aye
Supervisor Emmel voting aye

At 6:45 p.m., Councilman Brady moved to open the Public Hearing regarding the adoption of Local Law 3 of 2021: Approval and adoption of the Town of Lyons Comprehensive Plan. Motion seconded by Councilman Paliotti. Vote:

Councilman Brady voting aye
Councilman Paliotti voting aye
Councilwoman Greco-Eddy voting aye
Supervisor Emmel voting aye

Supervisor Emmel stated the Hearing would remain open until all comments had been heard. Several questions were asked by both Board members as well as the public. Joan Wallis expressed concern that not enough people are aware of the Plan and perhaps MRB could do a public presentation on the Plan post adoption. After all had been heard, Councilwoman Greco-Eddy moved to close the Hearing. Motion seconded by Councilman Brady. Vote:

Councilwoman Greco-Eddy voting aye
Councilman Brady voting aye
Councilman Paliotti voting aye
Supervisor Emmel voting aye

Councilman Brady then moved the following resolution:

WHEREAS, the Town of Lyons Town Board of Trustees (hereinafter referred to as "Town Board") has determined the above-referenced Action to be a Type 1 Action pursuant to Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Town Board has reviewed and accepted the completed Full Environmental Assessment Form Parts 1, 2, and 3 on the Action prepared by the MRB Group; and

WHEREAS, the Town Board has completed the public comment period provided for under the SEQR Regulations; and

WHEREAS, the Town Board has designated itself as lead agency under the SEQR Regulations for making the determination of significance upon said action; and

WHEREAS, the Town Board has given consideration to the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQR Regulations and the information contained in Full Environmental Assessment Form Parts 1, 2, and 3.

NOW THEREFORE BE IT RESOLVED, that said Action WILL NOT result in any significant adverse environmental impacts based on the review of the Full Environmental Assessment Form; and

BE IT FINALLY RESOLVED that the Town Board does hereby make a Determination of Non-Significance on said Action, and the Town Supervisor is hereby directed issue the Negative Declaration as evidence of the Village Board determination of environmental non-significance.

Motion seconded by Councilman Paliotti. Vote:

Councilman Brady voting aye
Councilman Paliotti voting aye
Councilwoman Greco-Eddy voting aye
Supervisor Emmel voting aye

Councilman Brady then moved the following resolution:

WHEREAS, the Town of Lyons Town Board of Trustees (hereinafter referred to as "Town Board") did, on October 27, 2021, last amend the document entitled "Lyons 2040: What's Possible" (hereinafter referred to as "Comprehensive Plan"), prepared by MRB Group, D.P.C., the Town engineering firm; and

WHEREAS, the Town Board is responsible for the preparation and adoption of the Comprehensive Plan, pursuant to Section 7-722 of the New York State Town Law; and

WHEREAS, the Town's existing comprehensive plan had not been thoroughly updated in over ten years, and does not reflect the community's current vision and specific initiatives to help achieve that vision; and

WHEREAS, the Town desired to have a vision and plan for the community to refer when addressing potential land uses and environmental impacts from the reuse of properties and the development of the vacant parcels in the Town; and

WHEREAS, the Town desired to be proactive in dealing with regional and inter-municipal issues, protecting its resources, and planning for community and/or service needs; and

WHEREAS, in recognition of the fact that the participation of citizens in an open, responsible and flexible planning process would be essential to the designing of the optimum Comprehensive Plan, on August 6, 2020, the Town Supervisor introduced the Comprehensive Plan Steering Committee (hereinafter referred to "Steering Committee"), whom would oversee the development of the Comprehensive Plan; and

WHEREAS, between September 2020 and June 2021 the Steering Committee listened to experts and citizens, collected studies, and reviewed data. Members inventoried and analyzed existing conditions, surveyed and interviewed citizens, evaluated future trends, mapped and studied community resources, and ultimately made the recommendations included in this plan; and

WHEREAS, the Town Board referred the proposed Comprehensive Plan to Wayne County Planning Board for review and recommendation as required under New York Law; and

WHEREAS, substantial opportunities for public input and comment were provided to the citizens of Lyons and included a community-wide survey, workshops, charrettes and Steering Committee meetings. Public Hearings on Plan Adoption and for SEQRA were held in October 2021 and December 2021. Citizens participated extensively throughout the planning process and public meetings were well attended. Community members contributed thoughtful comments and suggestions, providing continual to prepare an initial draft and then several re-drafts of the Comprehensive Plan; and

WHEREAS, the Comprehensive Plan is a vision document which identifies the important positive attributes and components which defines the Town and provides a blueprint for the future; and

WHEREAS, the Comprehensive Plan will provide guidance to decision makers, residents, property owners, businesses and organizations through its Vision Statements, Goals, Objectives and Strategies relevant to the subject matter of property maintenance, land use, smart growth initiatives, downtown development, business development and environmental resources; and

WHEREAS, the Comprehensive Plan was finalized by the Town of Lyons Comprehensive Plan Steering Committee after widely distributing drafts of the Plan and revising the document in response to issues and comments raised by the agencies and the public; and

WHEREAS, the members of the Town Board have carefully and thoroughly reviewed the Comprehensive Plan as revised and is satisfied that it meets the needs of the Town and requirements of applicable laws.

NOW THEREFORE BE IT FINALLY RESOLVED, that the Town Board hereby adopts the Comprehensive Plan dated December 29, 2021 (Final Version), as an important planning tool which identifies a wide range of issues, initiatives, studies, projects and programs which can be undertaken by various entities in the short-term and long-term.

Motion seconded by councilman Paliotti. Vote:

Councilman Brady voting aye
Councilman Paliotti voting aye
Councilwoman Greco-Eddy voting aye
Supervisor Emmel voting aye

Necessary paperwork will be filed with the Secretary of State.

Department reports were heard. Code Enforcement Officer Richard Bogan reported between November 23, 2021, through December 27, 2021:

Building Permits issued: ...17
Building Permits Cleared, compliance issued....20

Violation/Order to Remedy issued: ...47
Violations Cleared:37

Other Permits: 10 sump / inflow inspections,

Fire Safety Inspection for operating permits:, 4,

Landlord License Renewals in progress

Appearance Tickets: 6 court cases closed with compliance, 2 pending. 1 pending in county court, 1 negotiated settlement pending

Zoning and Planning: 4 applications in progress:

2 solar projects, Route 14 and Dunn Rd

Mast Sawmill. Bastian Rd

Gardner Sub Division, Route 14 N approved

Dobbins Boarding House, Water St.

Director of Ambulance Operations John Wiltsie reported:

Calls in Nov 2021:

Lyons: 99

Eastern Wayne: 9

Newark: 15

Total Calls to date for 2021 : 1311

All agencies in the county have had a Busy past couple months and Hospital over capacity causing Newark Wayne and area hospitals going on Diversion.

Mr. Wiltsie said he was proud of the EMS staff doing their best last couple months working hard to cover calls.

The County invested \$50,000 into a EMS study to see how to Improve EMS in Wayne County. I sit on the committee made up with Reps from County Supervisors and EMS agencies and Doctors. We met to go over the study and recommendation from the Fitch Group who compiled data and gave the committee their recommendations. The County committee recommends that we look into County wide transporting ambulance service to back up agencies not wanting to give up their CON. This was looked at hard and the Wayne county board of supervisors plan on having a discussion sometime in after 1st of year.

Highway Supt. Tim Moore reported that the Highway Department made 7 salt and or plow trips in December. Brush continues to be picked up along the curb sides, as well as Christmas trees.

Mr. Moore then presented the Board with a letter of intent that needs to be signed by the Supervisor for the purchase of the new dump truck. Total cost of the truck with all the attachments needed is \$279,881.86. This is the cost under state bid contract #8996. Councilman Paliotti moved to allow the Supervisor to sign the letter of intent. Motion seconded by Councilman Brady. Vote:

Councilman Paliotti voting aye

Councilman Brady voting aye

Councilwoman Greco-Eddy voting aye

Supervisor Emmel voting aye

Due to illness, there was no report from the Assessor in time for the meeting.

The Board then discussed the establishment of escrow accounts for proposed projects in the Town to cover any costs incurred. The practice was established with the passing of a local law earlier this year. Those for consideration include:

A proposed solar farm on Dunn Rd. Establish escrow at \$10,000.00

A proposed Boarding House on Water Street. Establish escrow at \$2,000.00

A sawmill on Bastian Road. Establish escrow at \$1500.00

Councilman Brady moved the establishment of said amounts. Motion seconded by Councilman Paliotti.
Vote:

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

The Board then discussed the issue of whether to opt in or out of the recreational marijuana law. Municipalities have the option to opt in, thus getting tax dollars for the sale of recreational marijuana by allowing the sale within municipal borders, or opt out, thus not allowing any sale and as a result, not getting any tax revenue. If the municipality wants in, it has to do nothing, but if it wants out, it must pass a resolution to that affect. A rather long discussion ensued regarding this topic between both Board members and the public in attendance. Most felt it would be best for the Town of Lyons to be a part of tax revenue windfall. As a result, the Board took no formal action, thus allowing the Town to opt in.

Town Clerk Colatarci then read a thank you note from Phyllis Paliotti thanking the Town Board for its support regarding her and Sue Pullen's gardening efforts around Town over the past many years. She thanked the Town for giving them full reign in their gardening designs. And she hoped someone would step forward to continue the gardening efforts.

Supervisor Emmel then read a proclamation thanking Town Clerk Sal Colatarci for his 32 years of dedicated service to the Town of Lyons. He will be retiring from the position at the end of the year.

At 7:40 p.m., Councilman Brady moved to go into executive session, asking Attorney Villani, CEO Richard Bogan, and newly elected Councilmen Dan LaGasse and Dan DeWolf to remain. Motion seconded by Councilman Paliotti. Vote:

Councilman Brady voting aye
Councilman Paliotti voting aye
Councilwoman Greco-Eddy voting aye
Supervisor Emmel voting aye

At 7:50 p.m., Councilman Brady moved to come out of executive session. Motion seconded by Councilman Paliotti. Vote:

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

