

Feb. 24, 2021

The Town Board of the Town of Lyons met for a meeting on Feb. 24, 2021 at 6:30 p.m. at the Lyons Community Center

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: Tony Villani, Kayla Sturgill, Richard Bogan, Owen Moore, Dale Kenville, Caroline Grasso, Casey Carpenter

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. Following the Pledge, Supervisor Emmel asked everyone to remain standing as he read a resolution honoring former Supervisor Jim Fabino who served the Lyons community for several decades. The honor follows:

WHEREAS, James A. Fabino served the Town of Lyons as Supervisor for the Town from 1984 - 1985, and re-elected for several more terms of office from January 1988 - 2009, prior to this time serving as a Village Board Trustee, Police Commissioner and Mayor; and

WHEREAS, Jimmy continuously served the Lyons community with distinction, compassion, kindness and understanding, during his lifetime; and

WHEREAS, Jimmy was involved in many community activities including coaching softball, baseball and American Legion baseball, he was a member of American Legion Post 227, the V.F.W., the Wayne County Republicans the Phelps Street Cemetery Crew, a member at St. Joseph the Worker Catholic Church, and an honorary member of the NY State Troopers; and

WHEREAS, throughout his years of service, he diligently served the Citizens of Lyons with loyalty and dedication and Jimmy will always be remembered as a man who loved Lyons;

NOW, THEREFORE, in memory of his service to the people of the Town of Lyons, be it

RESOLVED, that the Lyons Town Board hereby expresses its great regret in the passing of James A. Fabino and extends its deepest sympathy to his family.

Councilman Paliotti moved to accept the minutes from the Jan. 28, 2021 meeting and the Feb. 17, 2021 workshop. Motion seconded by Councilwoman Greco. Vote:

Councilman Paliotti voting aye
Councilwoman Greco voting aye
Councilman Brady voting aye
Councilman D'Amato voting aye but abstaining from the Feb. 17 vote
Supervisor Emmel voting aye

Councilman D'Amato moved to approve payment of General Fund vouchers #54 through #101 totaling \$126,648.51

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

Councilman Paliotti moved to approve payment of Highway Fund vouchers #18 through #35 totaling \$26,576.39

Motion seconded by Councilman Brady. Vote:

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

The Town Board then discussed the need to amend the Town code regarding solar energy. There is an increased interest in the area to create solar farms in rural communities. Town Attorney Tony Villani explained that the current code does not significantly address the creation of solar farms. As a result, Councilman Brady moved the Town Board will hold a Public Hearing on Wed. March 31, 2021 at 6:45 p.m. at 6:45 p.m. (regular Town Board meeting night) to address the matter. 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

Department reports were heard. Code Enforcement Officer Richard Bogan reported from January 27, 2021, through February 22, 2021:

Building Permits issued: ...7

Building Permits Cleared, compliance issued....8

Violation/Order to Remedy issued: ...12

Violations Cleared:13

7 cases pending opening of court for presentation of accusatory instruments.

Other Permits 4 sump / inflow inspections

Fire Safety Inspection for operating permits: 17

Appearance Tickets. 4 on-going cases postponed by no access to court

Stop work and posting, request for County Court action

Zoning and Planning: 1 ZBA meeting, accepting 2 applications, 1 planning board meeting, 1 package to county planning and 1 sub division preliminary application

Demolition is complete at 42 Elmer and 48 Broad, pending spring land fill and finish

Assessor Kayla Sturgill reported there were 7 Property Transfers(Sales) in January 2021

3 Arms length usable for valuation purposes

4 quit claim(between family members, owner changes etc)-not valuation usable

The deadline for exemptions is March 1.

She submitted the Town's 2021 level of assessment to NYS, claiming 78%. This means the Town is assessing properties at 78% of market value. She is planning on doing a 2022 town wide update.

She then gave a detailed presentation regarding the possibility of doing a town-wide assessment update effective in 2022. She explained that the last town-wide update was done 6 years ago. And while maintained 100 percent assessed evaluation for many years since, the last couple of years has seen a decrease, with the 2021 Town assessed value expected to be 78 percent. She explained this results in inequitable assessments. Before a town-wide update can begin, the Town Board needs to pass a resolution granting permission for the update. She explained that the resolution should be passed no later than April of this year. She would then begin the process around July 1 of this year. Completion would be expected by March of 2022. The Town Board said it would review the idea and make a decision by the next meeting.

Director of Ambulance Operations John Wiltsie, in his written report, requested permission to purchase a Stryker Power load system for one of the ambulances, at a cost of \$29,436.05 plus \$2500.00 to install. The system is used to lift patients into the rig without strain on an employee's back. He suggested the money come from the capital reserve fund. The other option would be to lease the lift at a cost of \$839.92 for 36 months or \$514.66 for 60 months. The Board tabled the request until it can see a copy of the lease agreement and allow the Town Attorney to review it.

Highway Supt. Tim Moore reported 33 plow trips so far in Feb. Also, have moved snow from downtown streets and other locations around town a few times this month. As expected, there have been minor repairs needed to the machinery. This is very typical for this time of year. There will be no trip to Albany this year for Advocacy Day, as has been the case every spring due to Covid.

Councilman Brady then moved that since the Lyons Community Center allows the Lyons Town Board to hold its meetings and other Town related events at the facility; the Town give \$8,000.00 to the Lyons Community Center to cover the cost of repairing/replacing the heating system in the facility. And that the payment be approved as a March 2021 prepay. 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

At 7:05 p.m., Councilman D'Amato moved to go into executive session to discuss pending litigation. 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 7:30 p.m., Councilman Brady moved to come out of executive session. Motion seconded by Councilman D'Amato. Vote:

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

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

Sal J. Colatarci

Lyons Town Clerk

