

Feb. 27, 2019

The Town Board of the Town of Lyons met for a meeting on Feb. 27, 2019, at 6:30 p.m. in the Town Board meeting room.

Present: Jake Emmel, Supervisor
John Paliotti, Councilman
Joanne Greco, Councilwoman- arrived at 7 p.m.
Ralph D'Amato, Councilman
Sal Colatarci, Town Clerk

Also Present: Sergei Bartishevich, Brian Engels, Richard Bogan, Gehrig Lohrmann, Kayla Sturgill, Tony Villani, Dan Dewolf, Keith Simon, Matt Dumphy, Mitchell Checchio, Casey Carpenter

Absent: James Brady, 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 from Jan. 31, Feb. 6, and Feb. 12, 2019. Motion seconded by Councilman D'Amato. Vote:

Councilman Paliotti voting aye
Councilman D'Amato voting aye
Supervisor Emmel voting aye

Mr. Gehrig Lohrmann, President of the Lyons Heritage Society then addressed the Board. He asked the Board that as the Town seeks out a new Town Historian, to remind the selected individual that he or she would also fill a seat on the Historical Society Board. Also, he asked the Board if it would be possible to have a link on the Town's web site to the Lyons Historical Society web page. Supervisor Emmel said he didn't see a problem with that but would wait until Councilwoman Greco arrived before making a decision.

Mr. Sergei Bartishevich and Brian Engels, Fire Commissioners from the Lyons Fire District addressed the Board requesting in-kind services from the Town Highway Dept. to break up and remove the concrete apron in front of the fire house. The matter has already been discussed with Highway Supt. Tim Moore, but needed permission from the Town Board. Mr. Engels stated that Mr. Moore did have a few concerns about doing the project such as if there is rebar in the concrete and where to dump the large chunks of concrete. Also, possible damage to trucks placing the material into the trucks. The Board stated it did not have a problem with the request, as long as Mr. Moore was comfortable with the idea. (Mr. Moore was not available at tonight's meeting due to the snowy weather.)

Department reports were heard. Town Code Enforcement Officer Richard Bogan reported between Jan. 29 and Feb. 25:

Building Permits issued: ... 6
Building Permits Cleared, compliance issued.... 6

Violation/Order to Remedy issued: ...21
Violations Cleared:18

Other Permits: 5 inflow inspections, 1 wood stove inspection
Landlord license renewals

Operating permit inspections.... 55 fire safety inspections

Appearance Tickets ...

39 Elmer Street, Rubbish,. \$ 350.00 fine, reappearance scheduled

7537 Old Lyons Rd, electric defects \$ 7000.00 fine, reappearance scheduled

26 Cherry Street, rubbish and fire violations, reappearance scheduled

7537 Old Lyons Rd, Lot # 3 Rubbish, appearance scheduled

7537 Old Lyons Rd, Lot #4 Rubbish, appearance scheduled

Zoning and Planning: planning board meeting with proposals for membership

Realtor/citizen inquiries: zoning, boundaries, process landlord licenses,
classify singles

Meeting with WCWSA regarding codes.

Councilman D'Amato then moved to allow CEO Richard Bogan to attend 8 hours of training in Rochester on March 27, 2019 to address lead renovation, repair, and painting. The training would address the rules and regs pertaining to lead paint, especially in rental units. Motion seconded by Councilman Paliotti

Councilman D'Amato voting aye

Councilman Paliotti voting aye

Supervisor Emmel voting aye

Upon the recommendation of the Town Planning Board, Councilman Paliotti moved to excuse Mr. Ted Liberatore from the Planning Board as well as name Mr. Richard Henry as Chairperson, and John Hewes as Vice Chair. Motion seconded by Councilman D'Amato. Vote:

Councilman Paliotti voting aye

Councilman D'Amato voting aye

Supervisor Emmel voting aye

The Town Board agreed to hold a workshop on Wed. March 20 at 6:30 p.m. to review the final draft of the Town Codes with Code Enforcement Officer Richard Bogan before submitting to General Codes by March 22.

Assessor Kayla Sturgill reported there were 9 property transfers in January. The deadline for exemptions is March 1. Meanwhile, reminder notices were sent out to those who had not yet turned in paperwork. The 2019 level of assessment was submitted to the State. The Town is claiming 100 percent market value.

Buildings and Grounds Foreman Dale Kenville, in a written report stated the department has been doing some patching of potholes, brush pick-up continues, repaired mailboxes, picked up more lights from DeLoca and installed them along the canal, and battled several occasions of black ice. Also, shop work was done.

Highway Supt. Tim Moore, in a written report stated 27 plow trips in the month of Feb. Weather kept everyone busy with wind and ice events, along with the snow. The department is attempting to do some sign work and tree trimming between snow runs. Mr. Moore announced the following streets will be repaved this summer:

Spencer, Holley, Joy, Manhattan, and Mirick Place. If the Town received some extra CHIPS money, Sisson and Foster Streets will be added to the list.

Supervisor Jake Emmel then stated that he would like Board permission for both himself and Highway Supt. Moore to attend Advocacy Days in Albany next month to allow them to meet with State Legislators about funding for highway programs. Councilman Paliotti moved to grant permission. Motion seconded by Councilman D'Amato. Vote:

Councilman Paliotti voting aye

Councilman D'Amato voting aye
Supervisor Emmel voting aye

Director of Ambulance Operations, Keith Simon said the department went on 112 calls in Feb. Mr. Simon requested that a new computer be purchased and also the purchase of a generator for the ambulance base, and requested an executive session.

Councilman Paliotti then moved to approve payment of General Fund vouchers #74 through # 133
Totaling \$ 75,057.87
Motion seconded by Councilman D'Amato. Vote:

Councilman D'Amato voting aye
Councilman Paliotti voting aye
Supervisor Emmel voting aye

Councilman Paliotti then moved to approve payment of Highway Fund vouchers #20 through #37
Totaling \$50,840.24
Motion seconded by Councilman D'Amato. Vote:

Councilman Paliotti voting aye
Councilman D'Amato voting aye
Supervisor Emmel voting aye

Councilwoman Greco arrived at 7 p.m.

Supervisor Emmel then suggested to the Board that the Town prepare and publish a request seeking sealed bids from interested parties to do the lawn maintenance work on Town owned properties. He explained he would like to have that available early next month.

The Board then discussed a quote received to replace the front door at the Town Hall. Town Clerk Colatarci stated that the door has been repaired a number of times but is now beyond repair. Total price for the 36"x80" fiberglass door, two sidelights, and labor is \$4,366.00. The cost of handles and a closure still needs to be added to the cost. After a discussion, Councilman D'Amato moved approval. Motion seconded by Councilman Paliotti. Vote:

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

Town Attorney then discussed Real property Tax law as it relates to solar systems. He explained to the Board that there is an exemption status that applies to solar energy systems, providing a 15 year exemption from taxation for increases in value for the system. However, there is an opt-out clause that local municipalities can enact which would NOT provide the exemption status. However, if a municipality does not opt out, it still could require owners of solar systems to enter into into an in lieu of agreement (PILOT). The Town currently has such a local law in place, but a newer one now has to be enacted. The Town will hold a public hearing on the matter at the regular monthly meeting in March.

As Councilwoman Greco was now present, the Board decided that it had no objections allowing the Lyons Heritage Society linking its web site to the Town's web site. Town Clerk Colatarci said he would contact Mr. Lohrmann to notify him.

At 7:35 p.m., Councilman Paliotti moved to go into executive session to discuss a personnel matter within the ambulance dept., asking Town Attorney Villani and Mr. Mitch Checho to remain. Motion seconded by Councilwoman Greco. Vote:

Councilman Paliotti voting aye
Councilwoman Greco voting aye

Councilman D'Amato voting aye
Supervisor Emmel voting aye

At 7:40, Mr. Checho was excused. Mr. Keith Simon and Mr. Mat Dumphey were then called into executive session.

At 8:15, p.m., Both Mr. Simon and Mr. Dumphey were excused from the executive session. The Board remained in executive session to discuss the possible acquisition of property.

At 9:20 p.m., Councilman D'Amato moved to come out of executive session. Motion seconded by Councilman Paliotti. Vote:

Councilman D'Amato 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