

Feb. 28, 2018

The Town Board of the Town of Lyons met for a meeting on Wed Feb. 28, 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: Jim Wedman, Bob Milliman, Tony Villani, Pete DeRycke, Judy Bailey, Scott bailey, Carol bailey, Kayla Sturgill, Pete Mastracy, Dale Kenville, Ben Follette, Keith Simon, Matt Dumphy, Chris Savage, Richard Bogan, Christi Miller.

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 Emmel moved to accept the minutes from the Jan. 31, 2018 meeting and the Feb. 21, 2018 workshop. Motion seconded by Councilwoman Greco. Vote:

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

Carol Bailey then presented her annual Historian report. She explained some of the projects she was involved with over the past year and discussed some things she would like to get accomplished in the upcoming year. The Board thanked her for the outstanding job she does as Town Historian. A copy of her report is filed in the Town Clerk's Office.

The Board then reviewed a letter received from Mr. Charles Camp concerning his desire to have the Town change Town Zoning in and near property he owns. He believes the current zoning presents a negative impact on his ability to make a positive income, therefore a positive tax-payer base. He requested that the Town consider changing zoning from M-1 to C-1 on the south side of the old Erie Canal to the CSX rail line and change the zoning on the north side from M-1 to R-A ag residential.. He believes these changes would bring growth to the Town. After discussion, the Board decided the Town should not give up any Industrial zoned property in the Town, and things would remain the same.

Supervisor Manktelow mentioned that he has sent out letters of support for the Corning Glass boat making a stop in Lyons this summer. The boat will dock in Lyons and provide residents the opportunity to board the boat to watch glass blowing demonstrations. Mr. Bob Stopper is working closely with Corning Glass to secure a stop in Lyons. There was a discussion about tying the event in with Peppermint Days festivities, but it appears the boat coming to Lyons would be after the festivities.

Supervisor Manktelow explained that he is putting together various RFP's for the Town and they will soon be going to the paper. This was discussed at last week's workshop. A want ad for a Town Animal Control Officer will also appear in the paper.

The Board then discussed a letter received from Mr. Andrew DeWolf regarding the retreat the Board had on Jan. 25, 2018. He objected to the gathering of the full Board to brainstorm for ideas related to the

future of the Town. Despite the fact that the Town's legal Counsel approved of the Board's meeting as being unannounced Mr. DeWolf believes the gathering should have been advertised and open to the public. He requested that his letter be forwarded to the Town Attorney for review and give a written response back to him. The Board decided that Supervisor Manktelow would respond to Mr. DeWolf's request.

The Board then discussed correspondence from the Code Enforcement Officer regarding a desire from AT&T to construct a 150 foot tall tower near the Former Village water tanks on Pearl Street. A site visit would be necessary to make a definite determination on the practicality of the project. A lease agreement has been drafted by AT&T for Board review.

The Board then reviewed a proposal from Mr. Art Williams, Atty., to work on per diem basis as the Town's prosecutor. The Villani Law firm indicates it cannot serve as the Town's prosecutor as it is a conflict of interest. Mr. William's proposal would be on a per diem basis, at an hourly rate of \$175.00. After discussion, Councilwoman Greco moved to hire Mr. Williams on the per diem basis at the requested rate of \$175.00 per hour. Motion seconded by Councilman D'Amato. Vote:

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

Department reports were heard. Sole Assessor Kayla Sturgill reported there were 17 property transfers in January. The 2018 Cornell seminar will be held July 15 through 20. One of the classes offered is a required course for certification. Costs have not been announced but she would like approve to attend. After discussion, Councilman D'Amato moved to allow her to attend the seminar. 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

Code Enforcement Officer Richard Bogan reported that he issued 10 building permits between Jan. 27, 2018 and Feb. 26, 2018. In addition, 28 violations/orders to remedy were issued and 15 violations were cleared. He issued 2 appearance tickets and 2 court summons. In addition, one apartment house was condemned due to a sewer line failure.

Keith Simon reported the ambulance responded to 94 calls in January. The new ambulance billing company takes over at midnight tonight. Also, EMS Charts is up and running and most employees have been trained on the new system. Mr. Simon asked the Board's permission to purchase to modems for the heart monitors as to be compatible to download all information to laptops, using EMS Charts. He requested that the money, \$2,113.50 come from the donation account. After asking a few questions, Councilman D'Amato moved to grant 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

Highway Supt., Tim Moore reported that there were about 23 plowing trips in February. On Feb. 13, snow was hauled from the downtown section with the help of four county trucks. Empire took down two large trees on Holley and Jackson Streets. The department has been out with the excavator and bush hog mowing in the country. He is also getting prices to pave some streets this summer from both Riccelli and Villager.

Building and Grounds Foreman Ben Follette stated the department helped NYSEG dig a hole for a new pole on Montezuma Street. Cleaned up the bank on Layton Street, did various tree trimming jobs, cleaned drains at the barn to help with drainage issues, repaired ice damage at the ambulance base, and painted the new snow blower, among many other projects. He also stated that he received a call from Workforce Development and they have 3 or 4 individuals they can give the Town to help with spring cleanup. Supervisor Manktelow suggest 2 go with Buildings and Grounds, and 2 to the Town cemeteries.

The Board then heard from Attorney Christi Miller from Seneca County. She represents the seller of property located at 10 Montezuma Street. She explained that back in 1949, the then Village of Lyons granted an easement to the owner of the property for ingress and egress as the driveway was located on Village land. However, the easement was never filed at the County Clerk's Office, though she does have a copy of the Village easement. She is asking that the Town now grant the easement, since there is no longer a Village. Town Attorney Villani explained that there should not be a problem with the request, assuming the land in question is on municipal owned property and is not at all part of Taylor Park, as that would require a whole different set of rules. Both attorneys agreed they would work together to remedy the situation.

Councilwoman Greco then moved to approve General Fund vouchers #61 through #108 totaling \$501,680.28

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 Emmel then moved to approve Highway Fund vouchers #21 through #41 totaling \$55,582.45.

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

The Board then discussed a letter from Mr. Ed Douglas Polk, protesting the property clean-up charge that appeared on his Town and County tax bill. The charge was placed on his bill after Burnham Lawn Service was contacted by the Town to clean up the overgrown brush surrounding the home at 35 Phelps Street. Mr. Polk refuses to pay the charge, feeling it is an exurbanite fee to remove, what he believes was perfectly fine plant materials. After a discussion, Councilman D'Amato moved to not grant Mr. Douglas abatement and require him to pay the full amount on the tax bill. Motion seconded by Councilwoman Greco. Vote:

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

Supervisor Manktelow mentioned that the Leadership Class at the High School will be conducting a 5k race on April 14. The class has already provided insurance coverage for the Town. Some streets may need to be closed and the class will take that matter to the Sheriff's Department. Councilman Paliotti moved to allow the 5k race to be held. 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

Supervisor Manktelow explained that the annual report surrounding the wastewater treatment plant has been filed with the State.

Mr. Peter DeRycke asked the Board if it had any idea when all the burned out bulbs in the street lights would be replaced. Supervisor Manktelow told him they were in Town last week, and he saw then replacing some of the bulbs.

At 8:05 p.m., Councilman Paliotti moved to go into executive session to discuss pending litigation. Motion seconded by Councilman Emmel. Vote:

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

At 8:20 p.m., Councilman D'Amato moved to come out of executive session. 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

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

Sal J. Colatarci

Lyons Town CLerk