

Jan. 30, 2019

The Town Board of the Town of Lyons met for a meeting on Jan. 30, 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
Sal Colatarci, Town Clerk

Also Present: Bob Milliman, Scott Bailey, Richard Bogan, Glenn and Joan Wallis, Kayla Sturgill, Tony Villani, 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.

Councilman Paliotti moved to accept the minutes from the Dec. 27, 2018, Jan. 1, 2019, and Jan 3, 2019 meetings. Motion seconded by Councilwoman Greco. Vote:

Councilman Paliotti voting aye

Councilwoman Greco voting aye

Councilman D'Amato voting aye on Jan. 1 meeting and abstaining from Dec. 27 and Jan. 3 meeting as he was absent

Supervisor Emmel voting aye

The Board then discussed a request from Mr. Ed Divelbliss about the school bus not being able to pick up his handicapped child in icy conditions. The bus cannot get up the driveway to do the pick up and drop off when there is a considerable amount of snow/ice. He is asking the Board if it would allow the Town truck to clear a pass for the bus to pick up the child. Supervisor Emmel suggested Mr. Divelbliss meet with Highway Supt. Tim Moore to discuss the situation. Supervisor Emmel stressed that this should only happen once in a great while, and not be a habit. The Board agreed.

The Board then discussed a concern of Mr. Jeff Lead regarding tree roots getting into the water and sewer lines in front of people's homes. He addressed this matter last summer as he was forced to pay about \$2,000.00 to the Water Authority to get his pipes unclogged. He wondered why it's the homeowner's responsibility if it's a town tree. He also mentioned that at the summer meeting, former Supervisor Manktelow said he would look into establishing a fund whereby that money could be paid to get the job done. Town Attorney Villani explained that the Town is not liable for this and the matter should be between the property owner and the Wayne County Water and Sewer Authority. Also, the Town has no authority to establish any type of a fund to off-set costs.

The Board then discussed a request from Dr. Anthony D'Amico to purchase the little greenspace behind his building on Canal Street. The property is currently owned and maintained by the Town of Lyons. As there were several unanswered questions, the matter was tabled until the Feb. meeting. Councilwoman Greco said she would discuss the matter with Dr. D'Amico prior to the meeting.

Department reports were heard. Code Enforcement Officer Richard Bogan gave a yearly report covering 2018:

Building Permits issued: ... 161

Building Permits cleared, compliance issued....167,

Violation/Order to Remedy issued: ...455

Violations Cleared 456

Fire and Safety Occupancy Inspections....104, public assembly and multi family
33 Inflow / Sump inspections for sale or transfer of title
122 water service inspections for lead pipe grant
Fee's collected, building permits, inspections ...

He attended three days training in Henrietta in March. This satisfied my State required training to maintain my Code Enforcement Official certification. He also attended one day of training in Victor, specifically concerning the Energy Code. .

He conducted fire/safety inspections of Public Assembly locations, which are on a one year cycle. He inspected multi-family dwellings, three family and more. These are on a three year cycle. He finished re-inspections of mixed use properties. Property maintenance violations either resulted in compliance, summoning the violators to court or ordering mitigation by town contractors.

He issued Certificate of Occupancy for three new homes and 1 mobile home on a lot.
He worked with owners / developers / landlords to rehabilitate and re occupy 10 vacant homes or buildings.

He continue to work with General Codes on the consolidation of Town and Village Codes. We continue to operate on the Town Zoning Laws of 2007 and Local Law 2017-13, providing for continuation of Village Codes as Town Center Codes.

In addition, Mr. Bogan gave his monthly report for January 2019:

Building Permits issued: ... 21

Building Permits Cleared, compliance issued.... 7

Violation/Order to Remedy issued: ...24

Violations Cleared:21

Other Permits: 6 inflow inspections, 1 address change

Operating permit inspections.... 4 permits issued

Public assembly inspections begun

Appearance Tickets ...

39 Elmer Street, Rubbish, David Graf JR. \$ 350.00 fine, reappearace scheduled

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

26 Cherry Street, rubbish and fire violations, appearace scheduled.

Zoning and Planning Setback variance approved for Alloway Rd Manure Lagoon.

Special permit approved for Zurich Rd. cemetery.

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

General Codes, web meeting, workbook, report to the board, request for input

End of year report to board. End of year 1203 report to the State.

In addition, Mr. Bogan requested Board approval to attend the Finger Lakes Building Official Educational Conference at RIT Inn and Conference Center, Henrietta, N.Y. March 11-13 2019. This training will satisfy the State requirements for continuing education in order to maintain Code Enforcement Official certification. The cost of this training is \$ 390.00 which includes lunches. The Town vehicle would be used.

Councilman D'Amato moved approval of the request. Motion seconded by Councilman Paliotti. Vote:

Councilman D'Amato voting aye

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

Mr. Bogan also stated that the Board needs to hold a workshop to discuss several matters pertaining to the new Town codification process. The Board decided it would hold that workshop on Wed. Feb. 6, 2019 at 6:30 p.m.

Assessor Kayla Sturgill reported that she has written the necessary response to the State Comptroller addressing the items the Town was cited for various exemption errors or over-sights going back to 2016. The letter needed to be sent back to the State within 30 days. The corrective action plan will be discussed at the regular meeting in February.

She also reported the following:

- Property Transfers(Sales) December-14
- 8 Arms length usable for valuation purposes
- 6 quit claim(between family members, owner changes etc)-not valuation usable

Approximately 115 Enhanced STAR and Senior Additional Benefit exemptions are outstanding.

The deadline for exemptions is March 1.

Reminder notices will be going out the beginning of February.

Agricultural exemptions are in the process of being verified.

Highway Supt. Tim Moore, in his written report, stated the department has made 34 plow trips so far this month. It appears the snow fence that was installed earlier this winter season is working out well. Had to do some repair work on a couple of the trucks. Mr. Moore stated that he has ordered 500 ton more salt. He told the Board the entire staff is doing an outstanding job.

Buildings and Grounds Foreman Dale Kenville, in his written report, stated the department kept busy this past month. Provided leaf pick up and Christmas tree pick up while weather permitted. Also took down the lights by the canal, as well as reinstalled some poles that were powder coated at DeLocas. Patched some holes in streets with cold patch and did some tree trimming work. Also, hauled snow from the downtown area and repaired mailboxes that were hit by snowplows.

There was no ambulance department report

The Board then discussed the appointment of a new Councilman to fill the vacancy created when Jake Emmel became Supervisor. Five names were considered for the position. After a discussion and review, Councilman Paliotti moved to appoint Jim Brady to the position through the end of 2019. Motion seconded by Councilwoman Greco. Vote:

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

Councilwoman Greco then moved to approve payment of General Fund vouchers #1 through #71
Totaling \$199,169.94
Motion seconded by Councilman D'Amato. Vote:

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

Councilman Paliotti then moved to approve payment of Highway Fund vouchers #1 through #18
Totaling \$76,748.66

Motion seconded by Councilman D'Amato. Vote:

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

The Board then discussed a request from Glenn Wallis to apply for a Pomeroy sign to be placed in Taylor park to commemorate Myron Taylor's mailbag factory. In order to get the grant, Mr. Wallis needs permission from the Town so as to satisfy the Pomeroy Foundation application requirement. Final wording of the sign would then need Board approval. After a discussion, Councilwoman Greco moved to allow Mr. Wallis to continue with the application process. Motion seconded by Councilman Paliotti.
Vote:

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

At 7:30 p.m., Councilwoman Greco then moved to go into executive session to discuss a personnel matter within the Lyons Ambulance Dept. Motion seconded by Councilman Paliotti. Vote:

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

At 8:15 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
Supervisor Emmel voting aye

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

Sal J. Colatarci

Lyons Town Clerk