

July 27, 2016

The Town Board of the Town of Lyons met for a meeting on Wed. July 27, 2016, at 6:30 p.m. in the Town Board meeting room.

Present: Brian Manktelow, Supervisor
Jake Emmel, Councilman
Nancy Collins, Councilwoman
Joanne Greco, Councilwoman
Sal Colatarci, Town Clerk
Tim Moore, Highway Supt.

Also Present: Jim Wedman, Bob Milliman, Ed and Barb Eaton, Katie Villani, Atty., John Wiltsie, Tina McQuillen, Ann Salerno, Stuart Smart, John Paliotti, Sharon Lubitow, Cindy and Dave Tyler, Joan Wallis, Bob Milliman, Scott Bailey, Pete DeRycke,

Absent: Phil DeSain, 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.

Councilwoman Collins moved to accept the minutes from the June 29, 2016 meeting. Motion seconded by Councilman Emmel. Vote:

Councilwoman Collins voting aye
Councilman Emmel voting aye
Councilwoman Greco voting aye
Supervisor Manktelow voting aye

Cindy Tyler then addressed the Board concerning the fence that is behind her house on Jackson St. that was damaged by the Town's Highway Dept., while plowing snow in the Town Hall parking lot. She explained that she had asked the Supervisor that the fence be repaired or replaced many months ago and wanted to know the status of the matter. Supervisor Manktelow explained that the Buildings and Grounds Dept. is looking into a comparable fence to match the one that was damaged and it would be installed. She thanked the Board for its time.

Mr. Scott Bailey read a letter from Mr. Glenn Wassman (who could not attend the meeting) addressed the Board about what he has been hearing concerning overcrowding in the Town Court on Tuesday's. He wanted to let the Town know that he would be willing to discuss leasing the courtroom in the old Village Hall, that he now owns, back to the Town or would consider making the ground level portion of the Building into a court area for the Town. The Board indicated it would consider that, as well as other options.

Town Clerk Colatarci then addressed the Board concerning a proposal from Corner Stone Communications Solutions with regard to phone and internet charges. He explained that Corner Stone is nothing more than a company that purchases access lines from companies like Time Warner and Verizon. By purchasing thousands of such lines, they get a better rate than the Town could get with just having 11 lines. The end result, the Town would save about \$183.00 per month, or about \$2,100.00 per year if it were to contract for two or three years with Corner Stone. There is a \$75.00 install fee, but Corner Stone will give a free month of service cost to more than off-set that charge. There was some concern that Time Warner would then raise it's rates to the Town as we would no longer be paying Time Warner. After a discussion, Councilwoman Greco moved to allow the Town to sign on with Cornerstone for a two year period pending calcification on the questionable Time Warner increase. Motion seconded by Councilwoman Collins. Vote:

Councilwoman Greco voting aye
Councilman Emmel voting aye
Councilwoman Collins voting aye
Supervisor Manktelow voting aye

The Board then reviewed the bids received from vendors interested to planting the flowers in the hanging baskets and planters for the 2017 season. Two bids were received. One from Bundschuh's Greenhouse in Macedon, who has done the flowers for Lyons for a number of years.

That bid totaled \$1,763.00. The other from Q's landscaping in Newark. That bid totaled \$2,975.00.

After discussion, Councilwoman Greco moved to award the 2017 bid to Bundschuh's Greenhouse. Motion seconded by Councilman Emmel. Vote:

Councilwoman Greco voting aye
Councilman Emmel voting aye
Councilwoman Collins voting aye
Supervisor Manktelow voting aye

The Board then heard a short presentation from Elder Russell from the Church of latter Day Saints in Lyons. The church is looking to do a community project that would involve church members as well as residents from the community. The Board gave Elder Russell several suggestions of organizations to contact including the Community Center, the Main Street program, the library, and Literacy Volunteers on Canal Street.

Councilwoman Collins then moved to approve payment of General Fund vouchers #357 through #411 totaling \$66,054.55
And Highway fund vouchers #124 through #140 totaling \$39,690.50
Motion seconded by Councilwoman Greco. Vote:

Councilwoman Collins voting aye
Councilman Emmel voting aye
Councilwoman Greco voting aye
Supervisor Manktelow voting aye

Department Reports were heard. Assessor Tina McQuillen stated that there were 34 sales in June due to the County auction. Exemption renewals will be sent out at the end of August and will start coming back in Sept. and continuing through Feb.

Interim Ambulance Administrator John Wiltsie, in a written report said that the department responded to 115 calls in June.
Supervisor Manktelow stated that the department was notified that it will be getting its ALS status back, perhaps as early as Sept.

Highway Supt. Tim Moore addressed the Board with a listing of jobs done over the past month by his department. He explained that Green Renewable is done grinding brush at the old Landfill on Cole Road. They also hauled some of the old material away, even though that wasn't part of the bid.

Also, the new pick up truck and the new dump truck are being built. At some point, the old pick up and the old dump will need to be declared surplus to bring to the Monroe County auction in the fall.

The Board then discussed a quote submitted from Buildings and Grounds Foreman Ben Follette for pavers at Phelps Cement Products, to be placed around 9 trees in the downtown section of Town. Total cost for the materials is \$1,024.00. The Buildings and Grounds Dept. will install the product. After discussion, Councilman Emmel moved to allow the purchase of the pavers.
Motion seconded by Councilwoman Collins. Vote:

Councilwoman Collins voting aye
Councilwoman Greco voting aye
Councilman Emmel voting aye
Supervisor Manktelow voting aye

In his report, Mr. Follette listed all the items the department was involved with over the past month including cleaning bushes and trees on the canal trail, cutting back trees and brush on Leach Rd. from the bridge to Route 31, and keeping storm drains cleaned clean.

Supervisor Manktelow then publicly thanks the Peppermint days Committee for another outstanding festival and also thanked the Town Highway and Building and Grounds department for helping with the event.

Cemetery Sexton John Paliotti reported that the Town has done 4 full burials and three cremation burials between the Elmwood and the Rural cemeteries. Also two new commercial grade weed eaters have been purchased.

Supervisor Manktelow explained that the Town needs to pass a resolution approving the refinancing (re-bonding) of the Health Services Building on Nye Road. The County has already passed the resolution, and since the Town will retain ownership of the building at the end of the term, it too must pass a resolution. Town Attorney Villani explained that he has reviewed the resolution and has no problem with it. After discussion, Councilwoman Collins moved the following...

RESOLUTION AUTHORIZING THE CORPORATE PURPOSES AND ACTIVITIES OF LYONS COMMUNITY HEALTH INITIATIVES CORP. AND THE ISSUANCE AND SALE BY LYONS COMMUNITY HEALTH INITIATIVES CORP. OF ITS FACILITY REVENUE BONDS (LYONS COMMUNITY HEALTH INITIATIVES CORP. PROJECT), SERIES 2016 IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$3,800,000.00 AND THE EXECUTION OF RELATED DOCUMENTS.

WHEREAS, the Town of Lyons, New York (the "Town") has been advised by the Lyons Community Health Initiatives Corp., a New York not-for-profit corporation (the "Issuer") formed for the purpose of issuing obligations on behalf of the Town, that the Issuer, under the authority of Internal Revenue Service Procedure 82-26 ("Rev. Proc. 82-26"), desires to issue its Facility Revenue Bonds (Lyons Community Health Initiatives Corp. Project), Series 2016 in an amount not to exceed \$3,800,000.00 (the "Series 2016 Bonds") for the purpose of: (i) the refunding of all outstanding bonds from the Issuer's issuance of its \$7,670,000 Lyons Community Health Initiatives Corp. Facility Revenue Bonds, Series 2004 (the "Series 2004 Bonds"); (ii) the funding of a debt service reserve fund and (ii) the payment of certain costs of issuance associated with the issuance of the Series 2016 Bonds; and

WHEREAS, the Issuer's purpose and activities encompass the ownership of a health services facility located wholly within the Town (the "Facility"), the financing of the construction and equipping thereof through the issuance of its bonds and the lease of the Facility to Wayne County (the "County") for use as a health services facility; and

WHEREAS, the Series 2004 Bonds were issued to finance a certain project consisting of: (i) the refunding of the \$9,155,000 Lyons Community Health Initiatives Corp. Facility Revenue Bonds, Series 1994 (the "Series 1994 Bonds"), the proceeds of which financed the original construction and equipping of the Facility; (ii) the funding of (a) the construction and equipping of certain capital improvements to the Facility, including a new roof and any additional improvements or equipment necessary and incidental thereto, (b) an additional deposit to the Debt Service Reserve Fund established under the Trust Indenture dated as of April 15, 1994 by and between the Issuer and Manufacturers and Traders Trust Company as security for the Series 2004 Bonds and (c) payment of certain costs of issuance associated with the issuance of the Series 2004 Bonds; and

WHEREAS, the Issuer has further advised the Town that the issuance of the Series 2016 Bonds and the refunding of the Series 2004 Bonds will result in significant interest savings due on the Series 2004 Bonds; and

WHEREAS, by resolution duly adopted on July 27, 1994 (the "1994 Resolution"), the Town, in compliance with Rev. Proc. 82-26, authorized (i) the issuance of the Series 1994 Bonds and (ii) the transfer of title to the Facility from the Issuer to the Town upon repayment of the Series 1994 Bonds; and

WHEREAS, by resolution duly adopted on April 28, 2004 (the "2004 Resolution"), the Town, in compliance with Rev. Proc. 82-26, authorized (i) the issuance of the Series 2004 Bonds and (ii) the transfer of title to the Facility from the Issuer to the Town upon repayment of the Series 2004 Bonds; and

WHEREAS, in compliance with Rev. Proc 82-26, the Town is required to approve the issuance of the Series 2016 Bonds; and

WHEREAS, the issuance of the Series 2016 Bonds and the resulting refunding of the Series 2004 Bonds are in the public interest of the citizens of the Town, and the Town

desires to cooperate with the Issuer, the County, the State of New York and other public bodies to endorse the delivery of health care services within the community.

NOW THEREFORE BE IT RESOLVED by the Town of Lyons, New York, a body corporate and politic, a lawful quorum of which is duly assembled as follows:

In accordance with Rev. Proc. 82-26, the Town hereby (i) approves the purposes and activities of the Issuer (as described above) and the issuance by the Issuer of the Series 2016 Bonds in a principal amount not to exceed \$3,800,000.00 and (ii) reconfirms all findings made in the 1994 Resolution and 2004 Resolution, including the requirement that the Town accept the unencumbered fee title to the Project at the earlier of the time of dissolution of the Issuer or upon payment of the Series 2016 Bonds in full.

THIS RESOLUTION shall be in full force and effect from and after its passage.

Above seconded by Councilwoman Collins. Vote:

Councilwoman Collins voting aye

Councilman Emmel voting aye

Councilwoman Greco voting aye

Supervisor Manktelow voting aye

Councilwoman Greco then moved to allow Council on Alcoholism and Addictions of the Finger Lakes to use the downtown park on Tuesday Aug. 2 from 9 a.m. til 7 p.m. for the National Night Out Community event as well as to close Church Street from Broad to William Streets at 5:30 p.m. Monday Aug. 1. Motion seconded by Councilman Emmel. Vote:

Councilwoman Greco voting aye

Councilwoman Collins voting aye Councilman Emmel voting aye

Supervisor Manktelow voting aye

At 8 p.m., Councilman Emmel then moved that William Street between Pearl and Church Streets be closed on Sat. Aug. 6 between 7 a.m. and 2 p.m. so the Main Street Program can hold its Lyons Community Garage Sale. Two additional trash cans will be made available, as well. Motion seconded by Councilwoman Greco. Vote:

Councilwoman Greco voting aye Councilman Emmel voting aye

Councilwoman Collins voting aye

Supervisor Manktelow voting aye

Councilman Emmel then moved to go into executive session, asking Mr. Ed Eaton to remain. Motion seconded by Councilwoman Collins. Vote:

Councilman Emmel voting aye

Councilwoman Collins voting aye Councilwoman Greco voting aye

Supervisor Manktelow voting aye

At 10 p.m., Councilwoman Greco moved to come out of executive session. Motion seconded by Councilwoman Collins. Vote:

Councilwoman Greco voting aye Councilwoman Collins voting aye

Councilman Emmel voting aye

Supervisor Manktelow voting aye

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

Sal J. Colatarci

Lyons Town Clerk