

June 24, 2020

The Town Board of the Town of Lyons met for a meeting on June 24, 2020, 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: Dave Doyle, Matt Horn, Richard Bogan, Dale Kenville, Dave and Donna Dewolf, Anne Salerno, Stuart Smart, Sharon Lubitow, Helen Dobbins, Joan Wallis, Rich Henry, Kayla Sturgill, Carolyn Grasso, Tony Villani, Bob Stiver, Mike and Elain Sinniger, Anne Wick

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 Brady moved to approve the minutes from the May 27 and June 15 meetings, as well as the June 23, 2020 workshop. Motion seconded by Councilwoman Greco. Vote:

Councilman Brady voting aye
Councilwoman Greco voting aye
Councilman Paliotti voting aye
Councilman D'Amato voting aye on the May 27 meeting but abstaining from the June 15 meeting as he was not present.
Supervisor Emmel voting aye

The Board heard from Dave Doyle and Matt Horn from MRB Group concerning the creation of a comprehensive plan for the Town. The matter was addressed several months ago but now the Board feels it is ready to move on the project. After a discussion and some questions, Councilman Brady moved to proceed with the creation of a comprehensive plan for the Town. Motion seconded by Councilman D'Amato. Vote:

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

Mr. Doyle then explained that the preliminary engineering report for the Town's water system has been completed. The report looks at a number of deficiencies in the water system and provides a number of alternatives to remedy the problems. It is recommended in the report that the Town opt for the replacement of 23,000 feet of water lines at a cost of about 11 million dollars. After several questions, Councilman Brady moved to allow MRB Group to submit the report and the findings to Rural Development for review for a funding solution. Motion seconded by Councilman D'Amato. Vote:

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

The Board then heard from Mr. Bob Stiver from Stiver Marina regarding the canal work that the Town would like to get done. The Town has earmarked \$7,000.00 as part of a matching grant to get some improvements made along the canal in Lyons. It is Mr. Stiver's recommendation that the \$7,000.00 be used to upgrade the pump station on the south side of the canal behind McDonalds, which would then qualify the Town for a another grant of up to \$35,000.00. That grant money could then be used to replace the existing docks along the canal with new floating docks. The Board was concerned that, because of the current financial condition of the State, the grant money may not be avaiable at this time. Mr. Stiver stated that that answer would be available after the necessary paperwork is filed. After a discussion, Councilman Brady moved to allow Mr. Stiver to file the necessary paperwork. 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

Supervisor Emmel then invited Ms. Ann Salerno to address the Board with regard to a violation notice she received from CEO Richard Bogan regarding overgrown brush and trees growing next to the foundation of the home, resulting in a fire hazard. She explained that she has since removed a great deal of brush from around the house, but questioned the wording of the code as it was very vague and could be interpreted in a number of ways. There were also several people speaking on her behalf questioning the code verbiage as well as the validity of the violation. Meanwhile, Code Enforcement Officer Richard Bogan stated that he is satisfied with what has been done around the house to correct the violation and will no longer proceed as the corrections made have satisfied the violation notice.

Department reports were heard. Code Enforcement Officer Richard Bogan reported:

Town Code Enforcement May 26, 2020, through June 24, 2020

Building Permits issued: ...20

Building Permits Cleared, compliance issued....19

Violation/Order to Remedy issued: ...58

Violations Cleared:57

12 properties to Burnham for mowing / clean-up

2 living units condemned, unsanitary / fire code issues. Both resolved

Other Permits 2 inflow inspections, 1 address change, 1 commercial inspection, 1 re-inspection

Appearance Tickets ...7 court appearances: 2 fire code, 2 licenses, 1 unsafe structure, 1 rubbish, 1 vehicle

Zoning and Planning: no meetings

Upon the recommendation of Mr. Bogan, Councilwoman Greco moved that Wilfredo and Rebecca Acevedo of 105 Montezuma Street be reimbursed \$320.00 for a new sidewalk installed in front of their home. Motion seconded by Councilman Brady. Vote:

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

Assessor Kayla Sturgill reported:

Property Transfers(Sales) May-6

0 Arms length usable for valuation purposes

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

Final Roll will be available to the public after July 1.

The state has issued a Final Equalization rate for 2020 of 92%.

After much discussion, we have decided to postpone the 2021 update due to Covid-19. Right now, the aim is for 2022.

Because of the postponement of the update, we are currently a survey town by the state. This simply means they are looking at a selection of non-residential properties to see if the numbers they give me to calculate the level of assessment are accurate or not.

The annual Cornell seminar has been cancelled for the year. We are still unsure of how the state and the association are going to offer classes to be able to meet the continuing education annual requirement.

Ambulance Director of Operations John Wiltsie reported The a/c unit at the base has been replaced following the brown out last month. Total cost \$3,500.00. Also, the inverter on the ambulance that was also affected by the brown out has been replaced. This was covered by insurance.

Mr. Wiltsie asked for Board approval a five year lease for 2 Styker Power Load Systems (one for each ambulance). The Board tabled the request at this time.

Highway Supt. Tim Moore reported that the south side of Town is all ready to be re-paved. The milling is completed and the paving was supposed to start yesterday, however the paving company changed plans and now the project will not resume until next week. Mr. Moore reported that he has learned that the State will be guarantying 80 percent of CHIPS money.

Councilman Brady then moved to approve two 284 agreements to spend money on street projects. One to spend \$156,465.00 to mill and repave Geneva, Shuler, Cross, Elmer, Baltzel, and Depew Streets/Aves. And the other 284 allows for the expenditure of \$24,874.00 for crack sealing on various streets in the former village.

Motion seconded by Councilman Paliotti. Vote:

Councilman Brady voting aye

Councilman Paliotti voting aye

Councilman D'Amato voting aye

Councilwoman Greco voting aye

Supervisor Emmel voting aye

Buildings and Grounds Foreman Dale Kenville reported some of the statues at the old American Legion have been removed to storage. Also, the fountains in the park have been cleaned and filled. They are in working order. Nine new picnic tables have been ordered, following Board approval last month. Cleaning DI's around the former Village.

Councilman D'Amato moved to approve payment of General Fund vouchers #253 through #304 totaling \$134,530.63

Motion seconded by Councilman Brady. Vote:

Councilman D'Amato voting aye

Councilman Brady voting aye

Councilman Paliotti voting aye

Councilwoman Greco voting aye

Supervisor Emmel voting aye

Councilman Brady moved to approve payment of Highway Fund vouchers #85 through #103 totaling \$ 133,814.89

Motion seconded by Councilman Paliotti. Vote:

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

The Board then discussed the water main/line relocation project that will be taking place through the current parking lot, owned by NYSEG, near the corner of Water and Geneva Streets. The line needs to be moved as NYSEG will be reclaiming the contaminated soil under the parking lot. NYSEG will pay the total cost.

Councilman D'Amato moved to schedule a public hearing for establishing a new fee schedule for zoning, fire prevention, and building code enforcement and other land uses on July 29, 2020 at 6:45 p.m.

Motion seconded by Councilman Brady. Vote:

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

At 7:45 p.m., Councilman Paliotti moved to go into executive session to discuss a litigation matter, asking Attorney Villani to remain. Motion seconded by Councilman D'Amato. Vote:

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

At 8:30 p.m., Councilwoman Greco moved to come out of executive session. Motion seconded by Councilman Brady. Vote:

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

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

Sal J. Colatarci

Lyons Town Clerk