

June 30, 2021

The Town Board of the Town of Lyons met for a meeting on June 30, 2021 at 6:30 p.m. at the Town Hall.

Present: Jake Emmel, Supervisor
John Paliotti, Councilman
Joanne Greco, Councilwoman
Ralph D'Amato, Councilman
James Brady, Councilman
Sal Colatarci, Town Clerk

Also Present: John Wiltsie, Dan LaGasse, Dave Doyle, John Hawman, Amy Shaffer, Dan DeWolf, Glen Wasman, Keith Gardner, Scott Bailey, Richard Bogan, Kayla Sturgill, Tom Finewood, Adam Bullock, Tony Villani, Mike Giles, Jack McCranels, Carolyn Grasso

Absent: Tim Moore, Highway Supt.

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 accept the minutes from the May 26, 2021 meeting. Motion seconded by Councilman Paliotti. Vote:

Councilman Brady voting aye
Councilman Paliotti voting aye
Councilwoman Greco voting aye
Councilman D'Amato abstaining (not present at the meeting)
Supervisor Emmel voting aye

John Hawman then approached the Board with a request to have the speed limit reduced in the Hamlet of Alloway (on Route 14) from 40 MPH to 30 MPH and to extend the speed zone an additional 1,000 feet in both the north and south directions.. In addition, the request was made to reduce the speed limit on both Alloway Road and Sohn Alloway Road to 30 MPH for a distance of 1,000 feet in both directions from the Route 14 intersection. Also, to install a caution light at the intersection of Route 14 and Alloway and Sohn Alloway Rd.

Councilman Brady suggested the Town provide a letter of support to the State DOT, in the hopes it would help persuade the State to approve the request, as it is the State that makes the determination.

Councilman Brady moved to send a letter of support to the State D.O.T. in the hopes of moving the request along. 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

Councilman D'Amato moved to approve payment of General Fund vouchers #286 through #349 totaling \$84,728.84.

Motion seconded by Councilwoman Greco. Vote:

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

Councilman Brady moved to approve payment of Highway Fund vouchers #99 through # 122 totaling \$231,688.60 Motion seconded by Councilman Paliotti. Vote:

Councilman Brady voting aye
Councilman Paliotti voting aye

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

Councilman Brady then moved the following resolution related to the Town of Lyons accepting a donation from the Paul A. Volker revocable trust:

WHEREAS, Paul A. Volker, former chairman of the United States Federal Reserve System, died on December 8, 2019 and

WHEREAS, Ms. Anne Dening-Volcker, Mr. Anthony J. Dowd, and JPMorgan Chase Bank, N.A. are the Executors of the Estate, and are the successor Trustees of The Paul A. Volker Revocable Trust dated September 19, 2018, and

WHEREAS, the Town of Lyons has been advised that the administration of the Estate and the Trust is at a point where certain distributions of the Trust assets can be made, as so provided in accordance with said Trust provisions, and

WHEREAS, the trust provides that an amount up to Twenty Five Thousand Dollars (\$25,000) may be provided for the perpetual care of the Klippel/Volker family cemetery plots or facilities at the Lyons Rural Cemetery, and

WHEREAS, the above named successor trustees have decided to generously provide the entire \$25,000 for the stated purposes of the trust, and

WHEREAS, the Lyons Rural Cemetery is under the control and supervision of the Town of Lyons, be it

RESOLVED that the Town of Lyons accepts the donation of funds, with the appreciation of the Town to the grantors, for the purpose of the perpetual care of the Klippel/Volker family cemetery plots or facilities at the Lyons Rural Cemetery and directs that the presently elected and serving Supervisor of the Town of Lyons be and the same is hereby authorized to execute the proposed receipt and release, a copy of which is attached hereto, as well as such other documents as are required to receive these funds by the Town of Lyons and is further authorized to accept these funds for the purposes of the donation.

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

Meanwhile, Councilman D'Amato then moved to allow the Supervisor to sign a Receipt of Legacy. Motion seconded by Councilman Paliotti. Vote:

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

At the request of the Town Planning Board, Councilman Brady moved the Town of Lyons obtain engineering services from Bob Hutteman to review Mr. Keith Gardner's sub division plan for the subdivision of a 10 acre parcel into 7 building lots on State Route 14 North in Lyons, and that Mr. Gardner be required to pay all expenses related to the engineering services. 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

Councilwoman Greco then moved to approve all permits submitted to hold the 2021 Peppermint Days event next month on July 16th and 17th. Peppermint Days Chairperson, Dan DeWolf was on hand to answer any questions from the Board. 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

Councilman Paliotti then moved to allow the Town Office to place all Town Utilities into an auto pay program through the bank, allowing automatic payment of Spectrum, Verizon, and NYSEG bills to be made through automatic withdrawal from the Town accounts. Motion seconded by Councilman Brady. Vote:

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

The Board then reviewed a request from William Street Tavern requesting a sidewalk use permit on both William and Montezuma Street. The permit would allow tables to be placed on the sidewalk for patrons to use to eat meals, as long as weather would permit. Also, there needs to be enough room between the tables and the curb (36") to allow people to freely move about. After a discussion, Councilwoman Greco moved to grant the request. 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

Councilman Brady then moved to appoint Nancy Collins to the Town's Assessment Board of Review, to fill the vacancy created by the untimely death of Penny Vanderlinde. Nancy Collins will serve out the term through Sept. 30, 2022. 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

Town Clerk Colatarci will notify the County Real Property Tax Office of the appointment.

Mr. Mike Giles then approached the Board with a report that five trees in the Rural Cemetery were downed or damaged by last week's wind storm. As a tree surgeon, he explained to the Board that he believes there are 11 total trees that should be taken down at the cemetery. He also explained that several of the trees would have to be climbed to cut, as equipment will not fit into the area. The Board asked Mr. Giles to come back to the Town with a quote to remove the 11 trees.

Dave Doyle from MRB Engineers reported to the Board that paperwork for the application for several grants is moving forward and that at the July Board meeting, the Town would have to pass resolutions supporting the grant applications. He reminded the Board that the time line is critical as the deadline for the applications is the last day of July.

Department reports were heard.

Code Enforcement Officer Richard Bogan reported from May 25 through June 28, 2021:

Building Permits issued: ...32
Building Permits Cleared, compliance issued....30

Violation/Order to Remedy issued: ...32
Violations Cleared:34
14 locations turned over to Burnham for mowing, 3 for clean up

Other Permits 1 sump / inflow inspections 1 fireworks permit

Fire Safety Inspection for operating permits: 5 commercial

Appearance Tickets. 4 new case in Town Court, 3 pending, 1 disposed

Zoning and Planning: 1 zoning issue pending, Dry Dock ,
1 planning board meeting

Town Clean-up day, 8.8 tons hauled plus scrap to Mr. Sterling Foster

Assessor Kayla Sturgill reported:

Property Transfers(Sales)in May-16
8 Arms length usable for valuation purposes
8 quit claim(between family members, owner changes etc)-not valuation usable

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

The state has issued a Final Equalization rate for 2021 of 78%.

Ms. Sturgill requested permission to attend the Cornell Seminar hosted by the New York State Assessor's association. This will be held July 11-16 in Ithaca. As in the past, she will submit a voucher to NYS for reimbursement. The trip is around \$1200.

Councilman D'Amato moved to grant permission to attend. Motion seconded by Councilman Paliotti. Vote:

Councilman D'Amato voting aye

Councilman Paliotti voting aye

Councilman Brady voting aye

Councilwoman Greco voting aye

Supervisor Emmel voting aye

Director of Ambulance Operations, John Wiltsie reported:

May calls Lyons: 126

Mutual Aid:

Junius RT 318 MVA-1 Eastern Wayne -1

Wolcott MVA 4th Ambulance to scene -1 Newark: 12

Transport Newark hospital to WCNH -1 Total 142 calls

The department started doing free blood pressure checks at the Farmers market 9a- 11a. 12 people had blood pressures checked.

The Ambulance provided stand-by for Lyons Graduation ceremony Friday night.

The dept. responded to a shooting in our town with Wayne County Sheriffs Dept, W.C.

ALS and Lyons Fire Dept. assisted at scene getting victim out of 3rd floor apt. WC

Sheriff Sergeant Verstrate , Lyons Medic Dave Lavancha, and Mr. Wiltsie saved a man's life by providing lifesaving measure's using tourniquets.

Motorcycle crash on Maple Street Road. Serious injuries. LTA, LFD, Law Enforcement, and Mercy Flight all responded.

In a written report, Highway Supt. Tim Moore stated Mt. Pleasant Rd. is all paved. Three neighboring Towns helped with the project. Over 6 miles of oil and stone resurfacing is completed. Also had help from neighboring Towns. Clean-up continues from last week's wind storm. The Highway Dept, has been working with Road Tech on the storm drain at the Fire House. Also, working with Kenny Block on getting frames set up in the Park for the monuments that will be moved there from the former American Legion.

Councilman Brady then moved

that based upon an examination of all available information including a review of the original EAF, the Lyons Town Board determines that the proposed adoption of local law 2 of the year 2021 will not have a significant effect or impact on the environment and therefore the preparation of an environmental impact statement with respect to the proposed rail project will not be required; AND

BE IT FURTHER RESOLVED THAT Part 2 of the SEAF be filled out accordingly, AND

BE IT FURTHER RESOLVED, that, as a consequence of the foregoing, the Lyons Town Supervisor is hereby directed to fill out part 3 of the FEAF showing a negative declaration in accordance with the requirements of Sections 617.7(e) and 617.12 of the SEQRA regulations.

Motion seconded by Councilman Paliotti. Vote:

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

At 7:25 p.m., Councilman Brady moved to go into executive session to discuss three pending litigation matters. 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

At 8:15 p.m., Councilwoman Greco moved to come out of executive session. Motion seconded by Councilman Paliotti. Vote:

Councilwoman Greco voting aye
Councilman Paliotti voting aye
Councilman Brady 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