

March 27, 2019

The Town Board of the Town of Lyons met for a meeting on March 27, 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  
James Brady, Councilman  
Sal Colatarci, Town Clerk  
Tim Moore, Highway Supt.

Also Present: Jason DeVito, Bob Milliman, Jan and Pete Mastracy, John Wiltsie, Brandy Robinson, Melissa Powell, Chris Horn, Bethany Comella, Casey Hamilton, Kayla Sturgill, Richard Bogan, Casey Carpenter, Rebecca Knibbs, Aaron DiSanto, Joe Sapp, Da DeWolf, Tony Villani

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 accept the minutes from both the Feb. 27, 2019 meeting and the March 20, 2019 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 Feb. 27 meeting but abstaining on March 20 workshop  
Supervisor Emmel voting aye

Bethany Comella addressed the Board looking for an update on what the Town has decided concerning her driveway on Montezuma Street. She addressed the Board regarding this issue several months ago. It was determined that the driveway to her home is on property owned by the Town (Taylor Park). She would like to get the matter resolved once and for all. Town Attorney Villani stated that the only way to sell a park or a portion of a park is through special State legislation. After a discussion, the Board agreed to allow the Town attorney to begin investigating the process seeking special State legislation. He would report back to the Board at the next meeting.

Councilman Paliotti then moved to schedule a public hearing opting out of real property tax exemptions for certain solar/electrical systems in the town on April 24, 2019 at 6:40 p.m. Motion seconded by Councilman Brady. Vote:

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

Rebecca Knibbs then addressed the Board stating that she does not want to submit her apartments to inspection by Code Enforcement Officer Richard Bogan as she believes it is a violation of her tenants rights. The matter came to light after Mr. Bogan scheduled her apartments for the annual inspection of landlord license renewals. When scheduling her apartments, he was informed that she believes such inspections are a violation of tenant rights and told Mr. Bogan she had documentation from the state to prove her point. She provided that documentation again at the Board meeting. She also stated that her

tenants work, and they do not want to take time off from work to be present for the inspections. It was explained to Ms. Knibbs that any lease agreement between her and her tenants should include a clause indicating the tenant must grant permission for an inspection by the Town. Meanwhile she agreed to ask her tenants if they would be willing to have an inspection done at a convenient time for them, perhaps during the evening, when they are not working. She will communicate her findings to the Code Enforcement Officer.

Councilman Brady then moved to award the lead service water contract to RoadTek, LLC in the amount of \$172,360.00. The matter of awarding the bid was tabled from the workshop on March 20, 2019 as there was some confusion as to just what the bid covered. It has since been determined that the electrical portion of the process will need to be bid out separately. 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

Department reports were heard. Code Enforcement Officer Richard Bogan stated that between Feb. 26 and March 25, 2019:

Building Permits issued: ... 9

Building Permits Cleared, compliance issued.... 3

Violation/Order to Remedy issued: ... 24

Violations Cleared: .....20

Other Permits: 2 inflow inspections, Landlord license renewals, 6 water pipe inspections

Operating permit inspections.... 5 public assembly and 34 fire safety inspections

1 property posted / condemned

Appearance Tickets ...

39 Elmer Street, Rubbish,. \$ 350.00 fine, summons served

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

26 Cherry Street, rubbish and fire violations, reappearance scheduled

7537 Old Lyons Rd, Lot # 3 Rubbish, 2nd appearance scheduled

7537 Old Lyons Rd, Lot #4 Rubbish, 2nd appearance scheduled

Zoning and Planning: proposals for membership submitted to board

Meeting with MRB and WCWSA regarding lead pipe grant

Submit code changes to General Codes 3/22/19.

Assessor Kayla Sturgill reported:

- Property Transfers(Sales) February-14
- 8 Arms length usable for valuation purposes
- 2 quit claim(between family members, owner changes etc)-not valuation usable
- 3 foreclosures
- 1 REO purchase from bank
  
- I have submitted a voucher to attend a class on valuing vacant land, on Friday April 26. I feel that this class would be helpful when I start analyzing land tables and sales for the next town-wide update.
  
- My file is due to the county by the middle of April for the publication of the tentative roll.
  
- I have been doing roadwork and values and should be finishing up sometime next week.

Ambulance Director of Operations John Wiltsie reported

1) Several employees resigned and never returned their uniforms: Polo, T-shirts, Jackets. Some had Portable radios and pagers. There are also keys to filing cabinet. Would like to request if Town supervisor can send letter requesting anything belonging to Town ambulance be return to Town office.

2) We have 3 applications for EMT-B Case Hamilton

Brandy Robison Sierra Trammel

2-Paramedic application from Paul Fera for per deim shift. Jay Pelton Part time

Chris Vanderwalle Mierke stated she would take over as Narcotics Officer. Hopefully we can be back part time ALS by end of April.

3) Wayne county ALS will be putting up a Fly car in Clyde starting Sunday night March 31st 10p-6a. If that car is out on a call Newark ALS or AMR will respond if ALS is needed.

Mr. Wiltsie also received three quotes to repair the bottom two panels on the garage door at the ambulance base as well as two garage door openers. Upstate Garage Door submitted a bid of \$2,760.00, Fingerlakes Garage Door submitted a bid of \$2,400.00, and Martin Door Service submitted a bid of \$2,394.00. After a discussion, Councilman Brady moved to accept the bid from Fingerlakes Garage Door. Motion seconded by Councilwoman Greco. Vote:

Councilman Brady voting aye

Councilwoman Greco voting aye

Councilman Paliotti voting aye

Councilman D'Amato voting aye

Supervisor Emmel voting aye

The Board agreed to employ Mr. Wiltsie's recommended new hires (see above), pending background checks.

The Board decided that a letter should be written to all ambulance employees who have resigned and have not returned various items that belong to the Town such as shirts, jackets, pagers, and keys. The letter will request that all Town owned items be returned in a timely fashion.

Mr. Wiltsie also asked the Board if it would rescind a requirement that everyone working an overnight shift be required to stay at the ambulance base. He explained that employees who live in Lyons are all within a few miles of the base and could get to the base in a timely fashion. He also felt he would have a better opportunity to hire more Lyons EMT's if they were allowed to stay home and not at the base. After a discussion, it was decided to grant the request on a six month trial period and then evaluate how things were working out.

Highway Supt. Tim Moore reported that as of today, the department has gone out on 18 snow and ice trips during the month of March. The crew has been out mowing with the excavators. Also, the canal light poles are all back up after being powder coated and repaired. The broom tractor and Vacall are ready to go for spring clean-up.

Mr. Moore presented the Board with a State bid price for a new 2018 Dodge pick-up truck. State bid price totals \$41,359.00. He suggested to the Board that he would like to proceed with the purchase as he has money in the equipment fund. The current #5 pick-up would then be sold. After a discussion, Councilman Brady moved to allow the purchase of the pick-up under the state bid contract price. 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. Moore also stated that he would like to purchase a used tractor and new mower attachment. This would have to be put out to bid. He provided some info to the Board about both pieces of equipment.

After a discussion, Councilman Brady moved to allow the equipment to go out for bid. 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 did not provide a report as he is sick with the flu.

Councilwoman Greco then moved to approve payment of General Fund vouchers #137 through #197 totaling \$131,566.53. 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

Councilman Brady then moved to approve payment of Highway Fund vouchers #38 through #56 totaling \$44,788.85. 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 bids received for the mowing and landscaping of Town property in Lyons for the upcoming season. A total of 5 bids were received. The lowest being Simpson Lawn Care from Newark at a quoted price of \$16,500.00. Others included:

AJ Lawn Care: \$17,925.00  
Blades and Spades: \$20,000.00  
Dave's Lawn Service: \$24,650.00  
Lowery Lawn and Landscape: \$33,900.00

After a discussion, Councilman D'Amato moved to award the contract to the low bid from Simpson Lawn Care in the amount of \$16,500.00.

Motion seconded by Brady. Vote:

Councilman D'Amato voting aye  
Councilman Brady voting aye  
Councilman Paliotti voting aye  
Supervisor Emmel voting aye  
Councilwoman Greco voting no

The Board then reviewed a letter from Planning Board Chairman Rich Henry regarding the recommendation of new alternates to the Planning Board. Mr. Henry had suggested three names as alternates. However, the Town local law governing the members of the Planning Board dictates that only two alternates can be named. After a discussion, Councilman D'Amato moved that Joan Wallis and Glen Wassman be approved for placement on the Planning Board effective immediately. 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

Town Clerk Colatarci then explained to the Board that Animal Control Officer Tracy Brown would like permission to attend two trainings. One is April 8 in Avon, NY, allowing her to be a rabies responder within the County. The cost of that training is being picked up by the County; however she will need someone to cover her crossing guard duties that afternoon at the Elementary School.

The second training is at Alfred State on May 1 and 2. She will not be staying overnight, but commuting back and forth both days. Cost for the two day class is \$99.00. Again, she will need coverage as crossing Guard both days.

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

Councilman D'Amato voting aye

Councilman Paliotti voting aye

Councilwoman Greco voting aye

Councilman Brady voting aye

Supervisor Emmel voting aye

Supervisor Emmel then informed the Board that, as the cemetery is short one worker for the upcoming season, he has been approached by Mr. Bob Plouse, seeking to work about 4 hours a day at the cemetery. Mr. Emmel stated that Mr. Plouse is also a mechanic and would be an asset to the Town. The Board agreed he would be a good hire and instructed Mr. Emmel to approach him for employment at the Town cemeteries.

As there was no further business, the meeting was adjourned at 8:10 p.m.

Sal J. Colatarci

Lyons Town Clerk