

March 31, 2021

The Town Board of the Town of Lyons met for a meeting on March 31, 2021 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: Dan Olson, Pete DeRyke, Amy Shaffer, Linda Guest, Glenn Wasman, Scott Bailey, Tony Villani, Richard Bogan, Carolyn Grasso, Michelle Newville

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 Feb. 24, 2021 meeting as well as the March 17, 2021 workshop. 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

Councilwoman Greco moved to approve payment of General Fund vouchers #104 through #164 totaling \$114,482.65.

Motion seconded by Councilman D'Amato. Vote:

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

Councilman Brady moved to approve payment of Highway Fund Vouchers #37 through #62 totaling \$62,517.01. Motion seconded by Councilman D'Amato. Vote:

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

Dan Olson then addressed the Board to explain the Memorial Day Committee's plans for this year. He explained that there will not be a parade this year; however, there will be a small ceremony in the downtown park. Masks and social distancing will be required to attend. Mr. Olson thanked the Board for its cooperation.

Linda Guest then addressed the Board. She gave a brief update on the Military banner promotion. As of now, there are 92 banners that need to be hung. The necessary brackets have arrived to hang the banners.

She explained to the Board that she is about \$240.00 short for paying for the brackets and asked if the Town could help out with that cost. Councilwoman Greco moved to allow the Town to pay the needed \$240.00. 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

Ms. Guest also gave a quick update on the Farmers Market. She explained the duty of heading that market has now fallen in her lap and that for the past 2 years; the event has operated in the red. She said she is desperately seeking volunteers to work the market one or two Saturdays.

At 6:45 p.m., Councilman Paliotti moved to open the Public Hearing regarding Local Law 1 of 2021: to amend the Zoning Laws and Code of the Town of Lyons, Wayne County, New York by adding a new section 291 for the permitting of certain solar photovoltaic systems. Motion seconded by Councilwoman Greco. Vote:

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

The Public Hearing would remain open until all comments had been heard.

It was explained that this Solar Energy Local Law is to advance and protect the public health, safety, and welfare of the Town of Lyons by creating regulations for the installation and use of solar energy generating systems and equipment.

At 6:50 p.m., Councilman D'Amato moved to close the Public Hearing. 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 then moved to adopt the Local Law 1 of 2021. 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 necessary paperwork will be filed with the Sec. of State.

Department reports were heard. Code Enforcement Officer Richard Bogan reported from February 23, 2021, through March 28, 2021:

Building Permits issued: ...23
Building Permits Cleared, compliance issued....20

Violation/Order to Remedy issued: ...35
Violations Cleared:30

Other Permits 4 sump / inflow inspections
1 address assignment / change

Fire Safety Inspection for operating permits: 15

Appearance Tickets. Town Court has opened.
There are 3 active cases in Court at this time.
Stop work and posting, request for County Court action

Zoning and Planning: 1 ZBA meeting on special permit application, 1 planning board meeting, 1 subdivision preliminary application in progress

Fire and emergency demolition at 123 Broad Street

On-going in service training, 18 hours credit this month

In a written report, Assessor Kayla Sturgill reported seven property sales in Feb.
2 Arms length usable for valuation purposes
5 quit claim(between family members, owner changes etc)-not valuation usable

The file is due to the county by the middle of April for the publication of the tentative roll.

She has been doing roadwork and values and should be finishing up sometime next week.

In a written report, Director of Ambulance Operations, John Wiltsie reported the ambulance recorded 87 calls in Lyons and 18 in Newark in February. He also stated that a rig has been covering ball games at the High School. The 2017 ambulance had a new power steering pump replaced. The new Power Load system is on order. Mr. Wiltsie asked the Board for permission to hire 2 EMT's. He will submit the applications he would like to order. The Board agreed to allow two more EMT's hired.

Highway Supt. Tim Moore reported only 3 snow plow trips in the month of March, a very rare occurrence! The Highway crew has been out with the VACALL cleaning streets and the booming crew has been out working the south end of Town. The task of replacing or repairing street signs continues. Took down two large trees, one on Broad Street; the other on Maple Street. Mr. Moore thanked the Lyons Fire Department for its assistance during the wind storm on March 26th. He told the Board that quotes are coming for the Fire Hall drain replacement.

The Board then discussed the bids received and opened on March 12, 2021 for the 2021 season mowing bids for both Town properties and for the Elmwood and Rural cemeteries. The following bids were received for Town property:

Dave's Lawn Service: \$20,500.00
Blades and Spades: \$23,250.00
Pollot's Lawn Service: \$18,125.00
Simpson Lawn Service: \$18,000.00

The following bids were received for the Elmwood and Rural Cemeteries:

Dave's Lawn Service: \$50,000.00
Blades and Spades: \$49,115.00
Pollot's Lawn Service: \$46,995.00
Simpson Lawn Service: \$45,000.00

After review, Councilman Brady moved to award the mowing of Town properties to Dave's Lawn Service;
and to award the bid for mowing of cemeteries to Blades and Spades.

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

Town Attorney Villani then explained to the Board that he had sent them each a draft proposal of new legislation regarding the Town's maintenance code. He explained that the draft puts more bite into the code than what we currently have on the books. He asked the Board to review the proposal and when ready, a public hearing would have to be scheduled as it would be a local law. He stated that two Town Planning Board members have agreed to sit down with two Town Board members to work out details of the plan.

Pete DeRycke then addressed the Board regarding work done at his home when the lead pipe grant work was completed there. He explained that since the replacement, a change in water pressure has resulted in the destruction of a water heater as well as faucets. He has submitted a bill for the damages. Councilman Brady explained that the matter has been under review and he has submitted the documents to the Town Attorney for review. Mr. Brady said he will get back to him with a response.

At 7:25p.m. Councilman Brady moved to go into executive session to discuss possible litigation and a personnel issue.

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 8:30p.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 D'Amato voting aye
Councilman Brady voting aye
Supervisor Emmel voting aye

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

Sal J. Colatarci

Lyons Town Clerk