

May 31, 2017

The Town Board of the Town of Lyons met for a meeting on Wed May 31, 2017, at 6:30 p.m. in the Town Board meeting room.

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

Also Present: Joan Delaro, Jim Wedman, Keith Simon, Anne Salerno, Stuart Smart, Anne Wick, Kayla Sturzel, Carol Bailey, Bob Milliman, Joan Wallis, Sharon Lubitow, Judy Bailey, Matt Albanese, Several students from Newark central (required to attend a political meeting), Richard Bogan, Leslie Shaw, Scott Bailey, Judy Bailey, Stephen Wenderlich, Dennis Peters, 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 DeSain moved to approve the minutes from both the April 26 meeting and the May 12 workshop. Motion seconded by Councilwoman Collins. Vote:

Councilman DeSain voting aye  
Councilwoman Collins voting aye  
Councilman Emmel voting aye  
Councilwoman Greco voting aye on May 12 minutes; abstaining on April 26 minutes  
Supervisor Manktelow voting aye on May 12 minutes; abstaining on April 26 minutes

Supervisor Manktelow then presented three Scouts, Andrew Gaylord, Mason Moore, and Matt Albanese, and one Girl Scout (Caylin Guest) with certificates after they received the highest honor available as boy and girl scouts for various project they completed to meet Eagle Scout status and Gold awards respectively. The Board thanked them for their accomplishments.

Main Street Director Joan Delaro then addressed the Board, updating on the Historic District designation. She explained that the designation is about 90 percent to completion. She also requested that the Town act as the applicant on behalf of the Main Street program for the application of a New York State Main Street Improvement Grant, at no cost to the Town. After discussion, Councilwoman Greco moved to approve the request. Motion seconded by Councilman Emmel. Vote:

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

Joan Wallis, representing the Lyons Vote Tilla Committee then addressed the Board requesting the Town contribute \$300.00 for a luncheon at Fox's on July 18, hosting about 50 people arriving on 5 boats on the canal, to celebrate 100 years of passage of women's suffrage vote by New York State. The boats, coming from the Susan B Anthony Center in Seneca Falls will be traveling down the canal, making Lyons the first lunch stop as they travel to Rochester. Town Attorney Villani explained this event, would have to be a Town function to be eligible for the donation and that proof of insurance by the committee

would need to be provided. After several questions, Councilman Emmel moved to make the Vote Tilla a Town function, and pending proof of necessary insurance, grant the request for \$300.00.

Motion seconded by Councilwoman Collins. Vote:

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

Department reports were heard. Kayla Sturgill, Sole Assessor for the Town reported that Grievance day was held May 23. There were 8 scheduled appointments, with one no-show, and one walk in. Also, she stated that she will be in Batavia taking a course on June 15 and 16 regarding using the valuation portion of the state's computer program, then on June 29 she will be back in Batavia taking a course on Agricultural valuation.

Keith Simon reported that the ambulance department responded to a total of 85 calls in April. He also stated that the open house at the remodeled ambulance base was a success.

He also requested that the backup ambulance be available at the Hogback races on July 9, Aug. 6, Oct. 8, and Nov. 5. Organizers of the race will pay the crew and donate \$100.00 to the ambulance department. The Board tabled the request until the next meeting.

Mr. Simon also stated he has received one quote for a stand-by generator for the ambulance base. The Board asked he receive another quote or two before awarding the project.

Code Enforcement Officer Richard Bogan stated that through May 29, 2017, 34 building permits were issued, 37 violations were issued, and 38 fire and safety inspections were completed. Also, Mr. Bogan reported he had attended a National Electric code training regarding changes for 1 and 2 family dwellings.

Highway Supt. Tim Moore reported that is has been a very busy month. Springtime projects, along with several rain storms has kept everyone busy. Scheduled brush pickup has ended however, if residents call the highway barn, they will do all they can to pick up more brush.

The 1996 MACK truck brought in \$23,000.00 at the municipal auction.

Ordered the remained of the 70 percent of salt so the Town won't have to pay for storage. It is all here and payed for.

Roadside mowing has begun.

The docks are in the canal. The Canal Authority helped with the project.

Mr. Moore has met with the Engineer and Surveyors regarding the canal path. Easements are in place where needed. The Canal Corp is supposed to do the bank under the bridge near Cole Road soon.

Oil and stoning of roads will begin soon.

In a written report, Buildings and Grounds Forman Ben Follette reported that the fountains in the park have been repaired, filled, and are working. The flowers have been placed throughout the downtown area and are being watered. Also, flowers were planted at the Town Hall and around the park fountains.

Cleaned up gravel that washed down at the canal behind the fire house.

The Board then discussed a proposed lease with Brico Technologies, allowing Brico to lease space to install a community repeater system on radio tower facilities owned by the Town located at Water Street Standpipe. The matter was tabled for further review.

Councilwoman Collins then moved to approve payment of General Fund vouchers #218 through #288 totaling \$181,133.74. Motion seconded by Councilwoman Greco. Vote:

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

Councilman Emmel then moved to approve payment of Highway vouchers #78 through #94

totaling \$33,086.20. Motion seconded by Councilman DeSain. Vote:

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

As we had just completed EMS Week, Supervisor Manktelow read a proclamation honoring all the men and women who dedicate their time and lives to saving others.

Supervisor Manktelow then asked Board Members their thoughts on the School District's proposal to re-write and negotiate the agreement between the District and the Town with regard to the Shared Services Facility on Clyde Road. (The issue was discussed at great length at the last workshop.) It was suggested that the School Board be invited to attend the next Town meeting to discuss this further.

On the request from Code Enforcement Officer Richard Bogan, Councilman DeSain moved to appoint Mr. Bogan as the Town's Zoning Officer, without additional monetary compensation, allowing him to legally act on the Town's behalf when it comes to zoning issues. Motion seconded by Councilwoman Greco. Vote:

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

Mr. Bogan discussed with the Board passing a resolution adopting a standardized residential/small business solar permit process for the Town of Lyons, establishing the permit fee at \$50.00. After some discussion Councilman Emmel moved the following:

WHEREAS, the New York State Energy Research and Development Authority (NYSERDA) is offering financial incentives to municipalities that adopt a uniform New York State solar process, and

WHEREAS, the Town of Lyons Code Enforcement Officer has advised the Town Board of the Town of Lyons that the New York State uniform process is consistent and compatible with the Town of Lyons Zoning Code and permitting practices, and

WHEREAS, The Town Board supports the use of solar energy as a renewable energy source.

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE Town Board of the Town of Lyons that the Town of Lyons hereby fully and formally adopts the New York State Unified Solar Permit process for NY – Sun Solar Powering New York, and establishes the permit fee at \$ 50.00

Above seconded by Councilwoman Greco. Vote:

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

Attorney Villani suggested the solar permit process should be address further, and in greater detail, when the new codes are adopted for the Town.

The Board then reviewed a request from Mi Café altering its sidewalk use permit, first issued in 2016. Mi Café would like to expand its use to include a portable barrier/fence to be use for the consumption of wine and beer. Code Enforcement Officer Richard Bogan explained that approving such a request would set a precedent to any licensed premise that would border on a public way. It was made clear that the

responsibility to keep patrons within the confined barrier/fence while consuming the wine and beer is the sole responsibility of the business owners, not the Town. After a discussion, Councilman Emmel moved to grant the request to Mi Café. Motion seconded by Councilwoman Greco. Vote:

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

Councilwoman Collins then moved to allow the Wayne County water and Sewer Authority to begin placing a capital charge on all properties in Lyons, whether that location is hooked up to water or not, effective the next billing cycle by the Authority. Motion seconded by Councilwoman Greco. Vote:

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

The Board then took comments and questions from the public. Concerns were voiced about various properties in Lyons regarding the buildup of trash, barking dogs, tall grass, etc. Code Enforcement Officer Richard Bogan said he responds to all complaints he receives and to keep calling his office when someone sees an unsightly situation in Lyons.

In addition several in the audience told the Board that they can already see a difference in the condition of Lyons properties since Mr. Bogan had begun working at the Code Enforcement Officer.

At 8:45 p.m., Councilman Emmel moved to go into executive session to discuss a union grievance. Motion seconded by Councilwoman Greco. Vote:

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

At 9:15 p.m., Councilman DeSain moved to come out of executive session. Motion seconded by Councilman Emmel. Vote:

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

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

Sal J. Colatarci

Lyons Town Clerk

