

Oct. 31, 2018

The Town Board of the Town of Lyons met for a meeting on Oct. 31, 2018, at 6:30 p.m. in the Town Board meeting room.

Present: Brian Manktelow, Supervisor
Jake Emmel, Councilman
John Paliotti, Councilman
Joanne Greco, Councilwoman
Ralph D'Amato, Councilman
Sal Colatarci, Town Clerk
Tim Moore, Highway Supt.

Also Present: Tony Villani, Stuart Smart, Ann Salerno, Pete Mastracy, Jason DeVito, Bruce and Sharon Lubitow, Richard Bogan, Mike Giles

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 Emmel moved to accept the minutes from both the Sept. 26 and Oct. 11 meetings. Motion seconded by Councilman Paliotti. Vote:

Councilman Emmel voting aye on Oct. 11 meeting but abstaining from Sept. 26 minutes as he was absent

Councilman Paliotti voting aye

Councilwoman Greco voting aye

Councilman D'Amato voting aye on Sept. 26 meeting but abstaining from Oct. 11 minutes as he was absent

Supervisor Manktelow voting aye

Supervisor Manktelow then mentioned that the snow and ice contract with the County of Wayne for the 2018-19 winter is ready to be signed by each Town. After a discussion, Councilman Emmel moved to allow the Supervisor to sign the contract as presented. Motion seconded by Councilman D'Amato. Vote:

Councilman Emmel voting aye

Councilman D'Amato voting aye

Councilwoman Greco voting aye

Councilman Paliotti voting aye

Supervisor Manktelow voting aye

Councilwoman Greco then moved to approve payment of General Fund vouchers #528 through #595 totaling \$106,641.24. Motion seconded by Councilman D'Amato. Vote:

Councilwoman Greco voting aye

Councilman D'Amato voting aye

Councilman Emmel voting aye

Councilman Paliotti voting aye

Supervisor Manktelow voting aye

Councilman Paliotti then moved to approve payment of Highway Fund Vouchers #175 thru #199 totaling \$74,558.04. Motion seconded by Councilman D'Amato. Vote:

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

At 6:45 p.m., Town Clerk Colatarci read the public notice regarding Local Law 3 of 2018, amending certain provisions of the Town's zoning law and appendixes. Councilman Emmel moved to open the public hearing. Motion seconded by Councilwoman Greco. Vote:

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

The Public Hearing would remain open until all comments and questions have been heard.

The Local law would amend the Town's local law by expanding the class of owners of rental units who must obtain an annual Landlord License from three or more rental units to the owner of any residential rental unit. Also, to add owners of one and two family non-owner occupied dwellings maintained or offered for rent and buyers under land contracts to the class of properties subject to inspection every three years.

Ann Salerno addressed the Board asking if there could be more frequent inspections done to rentals, perhaps as often as every time tenants move out of an apartment and if landlords could be required to report how many people are living in an apartment. It was explained to her that, while a good idea, it would be cost prohibitive on the part of the Town.

Town Attorney Villani questioned some of the verbiage in the proposed local law, saying perhaps he should meet with Code Enforcement Officer Richard Bogan to fine tune the wording. It was decided to have the two get together before adopting the local law.

As there were no further questions of comments, Councilman D'Amato moved to close the public hearing. Motion seconded by Councilman Paliotti. Vote:

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

At 7:00 p.m. Town Clerk Colatarci read the legal notice regarding the proposed 2019 Town Budget as advertised.

Councilwoman Greco moved to open the Public Hearing on the Town's proposed 2019 budget. Motion seconded by Councilman D'Amato. Vote:

Councilwoman Greco voting aye

Councilman D'Amato voting aye
Councilman Paliotti voting aye
Councilman Emmel voting aye
Supervisor Manktelow voting aye

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

Supervisor Manktelow explained that the Town tax rate will be about \$5.51 per thousand in 2019, a reduction of about 16 cents per thousand assessed valuation. The Supervisor added that the tax levy is also down this year compared to last year.

After all comments had been heard, Councilman Paliotti moved to close the Public Hearing. Motion seconded by Councilwoman Greco. Vote:

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

Councilman D'Amato then moved to adopt the 2019 Town budget. Motion seconded by Councilman Emmel. Vote:

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

Department reports were heard. Code Enforcement Officer Richard Bogan reported that he would like permission to attend one day training on residential and commercial energy codes in Victor, NY on Nov. 28, 2018. The training is free and would use the Town car for transportation. Councilman D'Amato moved to grant permission. Motion seconded by Councilman Emmel. Vote:

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

In addition Mr. Bogan reported between Sept. 25 and Oct 29, 2018:
Building Permits issued: ... 21
Building Permits Cleared, compliance issued.... 25

Violation/Order to Remedy issued: ...30
Violations Cleared:47
Other Permits: 5 inflow inspections
Address assignment / Change.... 2

Water Service Inspections..... 32

Operating permit inspections.... 4..... 1 permit issued

appearance tickets ...

71 Pearl, unsafe structure, defendant complied, House Demolished

Pending 7537 Old Lyons Rd, electric equipment .. Trial..

\$ 350.00 fine plus \$ 350.00 a week until compliance

Zoning and Planning .. 1 ZBA meeting, 2 Planning Board meetings

Approved a set-back request on Pleasant Valley and keeping quail on Maple St.

Conversion of St Michael's rectory to a dorm and a rural cemetery pending

Realtor/citizen inquiries: zoning, boundaries, cell tower

Mr. Bogan also mentioned that the Amish community is proposing to build an Amish Cemetery on property currently owned by Mose Mast at 7392 Zurich Rd. It will be deeded off as a separate parcel. The cemetery will be maintained by members of this Amish community. The Planning and Zoning Board will be hearing this matter at their respective meeting next month. Meanwhile, the Town Board has acknowledge notification of the creation of the cemetery.

Mr. Bogan also mentioned that he is getting updated/revised documentation from General Code with regard to updating out Codes and local laws/ordinances. There will be items that need to be decided by the Board prior to giving General Code the okay to proceed with the specific topic. As an example, how much to reimburse property owners who repair a sidewalk. It was decided that after 10 or 12 items, the Board would meet to decide the outcome of the questionable items.

Sole Assessor Kayla Sturgill, in her written reported stated:

Property Transfers(Sales) September -13

6 Arms length usable for valuation purposes

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

The office has been busy with Enhanced Renewals coming in. Agriculture and senior exemptions will be going out the beginning of November. Because of the way the state has changed the administration of the Enhanced Star exemption, this is resulting in more data entry for me in the office.

She attended Farm Appraisal in Batavia last week. She is awaiting a letter from NYS that she is a state certified assessor.

Beginning in January, she will join the executive committee of the Wayne County assessor's association. They meet over lunch the second Tuesdays Sept through June.

Keith Simon, in his written report, stated that the ambulance responded to 138 calls in September. Also, the new ambulance could be delivered within 45 days.

The A.E.D. training for the Town office and Highway personnel is completed. Will have to schedule a date for the Town Board members and Town Justices.

Also, two new Basic EMT's have been hired. Maggie Almekinder is already working and Dan Howell will start Nov. 11, 2018.

Highway Supt., Tim Moore reported milling and paving projects are completed for the year and the ADA sidewalks are also completed on the streets that were paved. Hot mix patching continues all over town. Continued doing some driveway work. The Community Center parking lot is oiled and stoned. Also, started prepping snow removal equipment.

Building and Grounds Foreman Dale Kenville, in a written report stated his department assisted in moving the big brush pile to the Cole road dump. All summer flowers have been removed for another year. All garbage can have been removed from the can banks. Leaf and brush pick up continues. Also, started cleaning up the basement at the Town Hall.

Councilman Paliotti then moved to appoint Keith Simon to the County EMS Advisory Board for two years beginning January 1, 2019. Motion seconded by Councilman Emmel. Vote:

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

The Board then reviewed a listing of items from Mr. Bob Stopper concerning canal improvements in Lyons. Supervisor Manktelow stated he had scheduled to meet with Buildings and Grounds Foreman Dale Kenville to review the suggestions.

The Board then reviewed an updated lease agreement proposal from AT&T to place a tower, on Town property, near the water tanks at the top of Pearl Street. The Board agreed to have the Supervisor contact Airosmith Development to discuss the proposal.

The Board then discussed a proposal for professional services from MRB Group for the design and construction phase for the lead pipe service line replacement program. Councilman D'Amato moved to allow the project to move forward. Motion seconded by Councilman Emmel. Vote:

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

The Town Board then reviewed an application from the Blizzard Blast committee concerning this year's event to be held on Sat. Nov. 24. The paperwork submitted explained what streets need to be closed off and at what times, as well as what the committee will need from the Town. Proper insurance papers were submitted. After a few questions, Councilwoman Greco moved to approve of the event. Motion seconded by Councilman Emmel. Vote:

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

The Board then discussed a quote received from DeLoka to powder coat a total of 30 light poles that are sitting along the canal banks in Lyons. Total cost of the project is \$17,106.00, requiring that the poles be supplied before the winter months and will be ready for pick up on or before March 1, 2019. After a few questions, Councilwoman Greco moved to accept the quote. Motion seconded by Councilman Emmel. Vote:

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

At 7:55p.m., Councilman Emmel moved to go into executive session to discuss a pending litigation matter. Motion seconded by Councilman D'Amato. Vote:

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

At 8:25 p.m., Councilman Paliotti moved to come out of executive session. Motion seconded by Councilwoman Greco. Vote:

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

Councilman Paliotti moved to allow the Town Attorney to move forward with a court order allowing a disinterment from the Rural Cemetery. Motion seconded by Councilman Emmel. Vote:

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

Councilwoman Greco then moved to change the regular monthly meeting in December from Wed. Dec. 26 to Thursday Dec. 27 at 6:30 p.m. Motion seconded by Councilman Emmel. Vote:

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

As there was no further business, the meeting was adjourned at 8:35 p.m.

Sal J. Colatarci

Lyons Town CLerk

