

Jan. 13, 2016

The Town Board of the Town of Lyons met for a meeting on Wed Jan. 13, 2016, 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

Also Present: Tom Sawtelle, Code Enforcement Officer, Anthony Villani, Town Attorney, Jim Wedman, Pete Mastracy, Chris Mierke, Olivia Martin

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 Pledge of Allegiance.

Councilman DeSain moved that the Town schedule a public hearing for Wed. Jan. 27, 2016 at 6:30 p.m. for the purpose of creating a Town Planning Board to replace what was the Joint Planning Board between the Town and one time Village. 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

The Board then discussed other code enforcement/zoning matters that need to be addressed in this upcoming year. CEO Tom Sawtelle presented the Board with a proposal whereby he would re-write the Town and Former Village zoning laws into a single document, along with a number of other related local laws from the Town and former Village at a cost of \$4,500.00. He explained he re-rote the Town's zoning laws many years ago and did the same for the Town of Galen. The Board would review the proposal at a later date.

Mr. Sawtelle also stated that the new code enforcement Williamson Law Book program is now on his computer and he is using it.

He also suggested that the Town hire Mr. Dylan Hess as a part time assistant in the Code Office. After a discussion, Councilwoman Collins moved to hire Mr. Hess, effective Jan. 20 at a rate of \$15.00 per hour, pending approval of a background check. Motion seconded by Councilman DeSain. Vote:

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

Town Attorney Villani then discussed a recent letter received concerning acknowledgement of assumption of debts, liabilities and obligations by the Town for former Village Clean Water Revolving Loan project. He suggested the Town not sign the document, requesting the Town assume all responsibility for paying the outstanding balance until further information is available.

Also, Mr. Villani will send a letter to the State Comptroller's Office questioning the legality of the terms of office set for the newly created fire commissioners as well as to whether the Town can give the fire district funds prior to the State Comptroller's Office acknowledging the existence of such district. He hopes to have an answer to both questions by the regular Town Board meeting on Jan. 27, 2016.

Supervisor Manktelow announced that it has been decided by the Town's Assessor that a town wide reassessment project for the tax roll 2016 will be conducted. As a result, an informational meeting will be held by the Assessor, Tina McQuillen, on Tuesday Jan, 26, 2016 at 7 p.m. at the Elementary School Auditorium.

Supervisor Manktelow then stated that there have been a few complaints concerning how the Lighting District charge was calculated on the January tax bill. He explained that the calculation, based on assessment, is calculated the same way it was calculated on the June tax in the past. The difference being that now it is a district charge as a line item. But he stressed the calculation method has not changed. Also, for those wondering about the capital charge on the water bills, that charge is assessed by the Town and those charges (both water and sewer) are given directly to the Town for use on infrastructure updates or major repairs to the water and sewer systems, as well as any outstanding water and sewer bills the Town may have to pay.

It was decided that Councilwoman Joanne Greco be placed in charge of spear-heading the summer band concert series in the park as well as checking into flowers for the downtown section of Lyons.

Supervisor Manktelow stated that the Town has an offer for the purchase of the former Village Hall at 76 William Street. Attorney Villani explained that if the Town accepts the offer, it is subject to a permissive referendum before the purchase is official. Also, the perspective new owners can only be given a quitclaim deed for the property, not a full deed.

On the topic of the former Village hall, Supervisor Manktelow explained that the former Village Police Department's evidence room was never cleaned out. When Wayne County Sheriff's Department officials arrived, they discovered that much evidence was still on site. Things such as hand guns, long arms, money, drugs, computers, and jewelry were there. The WCSD has taken care of that, and removed it from the location.

Councilwoman Collins moved to surplus the old computer server in the former Village Clerk's Office as well as a fingerprinting machine within the former police department. Motion seconded by Councilman Emmel. Vote:

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

Councilwoman Collins then moved to allow the Town office to pay former Village bills as they come in, rather than wait until the end of the month for approval. Motion seconded by Councilman DeSain. Vote:

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

Town Attorney Villani suggested that all Villages bills be place on a separate abstract/audit, and not be grouped with the normal Town bills paid during the month.

At 8:15 p.m., Councilman Emmel moved to go into executive session to discuss pending litigation and an ambulance department personnel issue, asking Chris Mierke to remain. 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

Chris Mierke left the executive session at 8:30 p.m.

At 9:20 p.m., Councilwoman Collins moved to come out of executive session. 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

Councilwoman Greco then moved allowing the Town Supervisor to sign an agreement with the Coughin and Gerhart Law Firm to represent the Town with an on-going and pending litigation matter concerning two individuals whose names were discussed in the executive session. Motion seconded by Councilman DeSain. Vote:

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

As there was no further business, the meeting was adjourned at 9:25 p.m.

Sal J. Colatarci

Lyons Town Clerk