

Oct. 28, 2015

The Town Board of the Town of Lyons met for a meeting on Wed. Oct. 28, 2015, at 7:00 p.m. in the Town Board meeting room.

Present: Brian Manktelow, Supervisor  
Dan LaGasse, Councilman  
Nancy Collins, Councilwoman  
Ralph D'Amato, Councilman  
Phil DeSain, Councilman  
Sal Colatarci, Town Clerk  
Tim Moore, Acting Highway Supt.

Also Present: Katie Villani, Ron Gonsalus, Jim Wedman, Pete Mastracy, Bob Milliman, Bruce and Sharon Lubitow, John Wiltsie, Tom Sawtelle, Tina McQuillen, Denise Eaton, Paul Fera Jr., Jason DeVito, Tim Jones, Jake Emmel, Barb DiSanto, Sherry Shultz, Denise Darcangelis, Diane Kitchen, Tony Calabrese, Ernie Evangelist, Jim Blandino, John Paliotti, Chris VanDewalle, Ed Eaton, Mary Jo Smokoski, Stuart Smart, Terry VanStean, JoAnn Greco

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.

Councilwoman Collins moved to accept the minutes from the Sept. 30 and Oct. 3 meetings, as well as the Oct. 14 and Oct. 21, 2015 workshops. Motion seconded by Councilman DeSain.  
Vote:

Councilwoman Collins voting aye  
Councilman DeSain voting aye  
Councilman D'Amato voting aye  
Councilman LaGasse voting aye  
Supervisor Manktelow voting aye

Supervisor Manktelow then introduced Mr. Ron Gonsalus from the Williamson law Book Company. He had presented the company's Code Enforcement and Highway Supt. programs (software) to the Board several months ago. He was invited back to answer any further questions about the programs before the Town Board decided on purchasing them. After a question and answer session, Councilman D'Amato moved to purchase the Building and Code Enforcement program at a cost of \$3,250.00. Motion seconded by Councilman DeSain. Vote:

Councilman D'Amato voting aye  
Councilman DeSain voting aye  
Councilman LaGasse voting aye  
Councilwoman Collins voting aye  
Supervisor Manktelow voting aye

Upon the recommendation of Acting Highway Supt. Tim Moore, the Board decided to hold off on purchasing the Highway Supt. program.

Ambulance Administrator Paul Fera Jr. then addressed the Board concerning recent developments and investigations within the Town Ambulance Dept. he explained that he has had recent conversation with the State health Dept. and the recertification for narcotics use by the ambulance department should be forth-coming. Also, an updated operational plan needs to be presented to the State. The Boards asked Mr. Fera to remain for a short executive session to further discuss the issue.

Ms. Denise Eaton then addressed the saying she had been approached by a couple of different Council people about her taking on the duties of crossing guard at the Elementary school, effective Jan. 1, 2016. She said she would like to see the hiring of her reflected in the Town Board minutes rather than just being approached by various Council people. Ms. Eaton was

assured that there would be an official offer, and the hire would be reflected in the minutes as will be the case for all former Village employees being hired by the Town.

The Board then reviewed a maintenance quote presented to the Town from HALCO Plumbing and Heating with regard to the upkeep of the Town Hall's heating and cooling systems. The price of \$650.00 per year includes two maintenance visits per year. After discussion, Councilman D'Amato moved to accept the one year contract at the stated cost. Motion seconded by Councilwoman Collins. Vote:

Councilman D'Amato voting aye  
Councilwoman Collins voting aye  
Councilman DeSain voting aye  
Councilman LaGasse voting aye  
Supervisor Manktelow voting aye

Department reports were heard. In his written report, Assistant Ambulance Administrator John Wiltsie reported that the ambulance responded to 44 calls as of Oct. 27. Also, he reported that the ambulance staff consists of 10 advanced life support members, 16 basic medics, and 2 non-medical drivers.

Acting Highway Supt. Tim Moore reported that the new one ton truck is finished and have to settle up payment. Also, sand is all hauled and mixed and stock-piled, moved generator for Wayne County at the sewer plant, hauled air conditioners and de-humidifiers to BRICCO Plumbing and Heating that were left from the electronics pick-up site on Clyde Rd., retread tires will be ordered for truck #7, at a cost of about \$1,600.00. Supt. Moore asked for permission to exceed his spending limit to purchase the tires. Permission was granted by the Town Board.

Assessor Tina McQuillen reported to the Board that she is continuing to do the reassessment project for 2016. All house sales from September have been processed. She also requested that her schedule be changed from working in Lyons the first Saturday of the month to working the last Wednesday of the month. She explained she would travel right from her Marion office to Lyons and be here for the Town Board meetings. Councilwoman Collins moved to grant the request. Motion seconded by Councilman D'Amato. Vote:

Councilwoman Collins voting aye  
Councilman D'Amato voting aye  
Councilman DeSain voting aye  
Councilman LaGasse voting aye  
Supervisor Manktelow voting aye

Cemetery Sexton John Paliotti reported that expenses at the Elmwood Cemetery in Sept. 2015 totaled \$3,400.00 while revenues totaled \$2,835.00. Expenses at the Rural cemetery totaled \$193.00, with no revenue received in September.

Code Enforcement Officer Tom Sawtelle presented the Board with an updated Zoning and Uniform Code Enforcement Fee Schedule that he feels is fair to the residents of Lyons. He asked the Board to look it over and make any comments on the proposal. The fee schedule would have to be adopted as a local law prior to it going into effect. He also gave a copy of the schedule to Town Atty. Villani for review.

Supervisor Manktelow then presented the 2016 Town Preliminary I budget to the Board for review. He explained the Board still has some time to work on figures but the Public Hearing on the 2016 Town budget will be held at 7 p.m. on Thursday Nov. 5 in the Board Room. The Board will hold one last workshop on the budget on Wed. Nov. 4 at 7 p.m.

Supervisor Manktelow then asked Town Attorney Katie Villani if her law firm had reviewed the proposed 2016 snow and ice contract with the County as the Town Board needs to give the Supervisor Permission to sign the document. She explained that there are still some issues within the contract that need to be resolved.

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Councilman LaGasse then moved to approve General Fund vouchers #404 through #444 totaling \$81,513.62

And Highway Fund vouchers #165 through #175 totaling \$25,370.73

Motion seconded by Councilwoman Collins. Vote:

Councilman LaGasse voting aye  
Councilwoman Collins voting aye  
Councilman DeSain voting aye  
Councilman D'Amato voting aye  
Supervisor Manktelow voting aye

Per a request from Acting Highway Supt. Tim Moore, Councilman DeSain to confirm, by operation of law, the Town will take over duties of Village Streets effective Jan. 1, 2016. Motion seconded by Councilman D'Amato. Vote:

Councilman DeSain voting aye  
Councilman D'Amato voting aye  
Councilwoman Collins voting aye  
Councilman LaGasse voting aye  
Supervisor Manktelow voting aye

The above resolution is needed so as the Town will receive CHIPS money from the State for what was Village streets effective the first of the year.

Supervisor Manktelow mentioned that all Board members are invited to the Veterans Day ceremony, hosted by the American Legion, on Nov. 11 at 11 a.m. in the Park. After the ceremony, all are invited to a luncheon at the American legion Post on Water Street.

Town Clerk Colatarci explained that the Town has recently gone out to bid for a Deferred Compensation plan for Town employees who elect to take part in such a program and he recommends to the Board that the Town remain with MassMutual Financial Services for the next 5 years. This is the same company that the County of Wayne uses and the same company the Town has used for the past 20 plus years. Also, the Town Atty. has reviewed the proposal and sees no reason not to continue with them. As a result, Councilman D'Amato moved the following resolution:

**Resolution Authorizing A Contract For A Deferred Compensation Plan  
Provider For A Five Year Contract**

**WHEREAS**, the Town of Lyons did establish a Deferred Compensation Plan for employees, and

**WHEREAS**, the Deferred Compensation Committee did accept and review 4 proposals for the administration of the Deferred Compensation Plan for a five-year renewal contract period.

**WHEREAS**, the Deferred Compensation Committee does recommend the award of such contract to MassMutual Financial Group as Administrative Services Agency and Financial Organization.

**WHEREAS**, the Deferred Compensation Committee does recommend that Reliance Trust Company act as trustee.

**RESOLVED**, that the Board of the Town of Lyons hereby is directed to execute all necessary documents to contract with MassMutual Financial Group and Reliance Trust Company for administrative, financial, and trustee services for the Town of Lyons Deferred Compensation Plan for the next five years.

**IN WITNESS WHEREOF**, the undersigned have executed this Resolution in Wayne County, New York this date of Oct. 28, 2015 and directed that it be filed as appropriate.

Motion seconded b y Councilwoman Collins. Vote:

Councilman D'Amato voting aye  
Councilwoman Collins voting aye  
Councilman DeSain voting aye  
Councilman LaGasse voting aye

Supervisor Manktelow voting aye

Mayor VanStean asked the Board if it has a plan ready to go so residents will be ticketed if they park their cars on Village streets during the snow season. He explained that many of the Village streets can not be plowed if cars are parked in the way of the plows. Supervisor Manktelow explained that he would contact the Sheriffs Dept. to see if they have a plan in place.

At 8 p.m., Councilman D'Amato moved to go into executive session to discuss pending litigation concerning the ambulance department, requesting that Atty. Villani, Paul Fera Jr., and Chris VanDewalle remain. Motion seconded by Councilman LaGasse. Vote:

Councilman D'Amato voting aye  
Councilman LaGasse voting aye  
Councilman DeSain voting aye  
Councilwoman Collins voting aye  
Supervisor Manktelow voting aye

At 9:05 p.m., Mr. Fera and Ms. Vandewalle were excused from the executive session.

At 9:30 p.m., Councilwoman Collins moved to come out of executive session. Motion seconded by Councilman DeSain. Vote:

Councilwoman Collins voting aye  
Councilman DeSain voting aye  
Councilman D'Amato voting aye  
Councilman LaGasse voting aye  
Supervisor Manktelow voting aye

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

Sal J. Colatarci

Lyons Town Clerk

