

Dec. 14, 2015

The Town Board of the Town of Lyons met for a Public hearing/workshop on Mon. Dec. 14, 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 (arrived at 7:10 p.m.)  
Sal Colatarci, Town Clerk  
Tim Moore, Highway Supt.

Also Present: Chris Mierke, Joe Desain, Jack McCrannels, Tom Gowan, Jim Wedman, Serge Bartishevich, Jason DeVito, Tony Calabrese, Diane Kitchen, John Wiltsie, Pete Mastracy, Dave Fulvio, atty., Marty Aman, Dave Doyle, Dale Kenville, Tim Moore, Tom Sawtelle, Stuart Smart, Joanne Greco, Oliva martin, Jackie Dishaw, Yazel Correa

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.

Supervisor Manktelow opened the Public Hearing regarding a new and revised fee schedule concerning code Enforcement/ zoning charges. These new fees are needed to remove the inequities between what were Village and Town fees for the same or equal permit/violation. Supervisor Manktelow said the Public Hearing would remain open until all comments had been heard. Meanwhile, Code Enforcement Officer Tom Sawtelle explained some of the changes made to the fee schedule and explained why the changes were made. When all comments had been heard, Councilman D'Amato moved to close the Public hearing. Motion seconded by Councilwoman Collins. Vote:

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

Councilman D'Amato then moved to adopt the newly revised fee schedule as presented. Motion seconded by Councilman LaGasse. Vote:

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

Town Clerk Colatarci will file all necessary paperwork with the Secretary of State

Councilman DeSain arrived at 7:10 p.m.

Marty Aman, from the Wayne County water and sewer Authority then explained capital charges that the Town will receive on the quarterly water bills that will be used for paying down debt or for major repairs or improvements in the water and or sewer infrastructure. After his presentation, Councilman LaGasse moved to accept the capital charge structure as outlined by the Authority. Motion seconded by Councilman D'Amato. Vote:

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

Assistant Ambulance Administrator John Wiltsie then addressed the Board concerning going out to bid for a new ambulance. He explained that he has presented two sets of specs for the Board to review and would like to advertise for a new ambulance. He explained that there is not a state contract for ambulances so the bidding process is necessary unless the Town chooses to lease the ambulance. The Board will review the specs and discuss the matter at the Dec. 30 meeting.

Olivia Martin, a member of the Lyons Ambulance staff then addressed the Board concerning the recent developments surrounding the department and the State's investigation. She thanked the Town Board for supporting the Ambulance Department and explained the dedication from the department's employees. She also stated that the department has high regard for its Administrator, Paul Fera Jr.

Supervisor Manktelow then read a letter of resignation from Jason DeVito, as he has taken on a full time job with the Town in the Buildings and Grounds Dept., and as a result, can not also work part time for the Ambulance Dept.

Supervisor Manktelow then explained that the County of Wayne would be interested in leasing the Town's ambulance fly car for ALS service within the eastern end of the County, including Lyons until April 1, 2016. At that time, Galen will be getting a fly car that will serve the same area. The County would pay the Town the Federal allowed mileage rate for 2016 to use the Lyons fly car. After a discussion, Councilman LaGasse moved to allow the lease of the Town Fly car to the County, pending approval by the County and approval by the Town Attorney. Motion seconded by Councilman DeSain. Vote:

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

Supervisor Manktelow then explained to the Board that it needs to decide how it wants to handle the creation of a Town Planning Board as there is currently a joint Planning Board with the Village, and since the Village will be dissolved in a few weeks, the Town needs to either create a new Planning Board or the Town Board can act as the Planning Board. Mr. Fulvio, Town Atty. explained that the issue needs to be addressed at the Town's organizational meeting on Jan. 4, 2016 as the Village will no longer be in existence at that time.

Councilman DeSain moved to transfer \$200,000.00 from General A fund to Highway DA Fund to be deposited into the Highway Equipment Fund. Motion seconded by Councilwoman Collins. Vote:

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

Councilman D'Amato then moved that effective Jan. 1, 2016, Town Fund B is abolished and the proceeds there from shall be transferred to Town Fund A and Effective January 1, 2016, Town Fund DB is abolished and the proceeds there from shall be transferred to Town Fund DA.

Motion seconded by Councilwoman Collins. Vote:

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

Councilman LaGasse then moved to allow the Town Supervisor to create a new bank account at LNB to deposit Village funds being transferred to the Town due to Village dissolution. Motion seconded by Councilwoman Collins. Vote:

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

Councilman LaGasse then moved to transfer vehicle plates and registrations from Village vehicles to Town Vehicles, and to transfer insurance coverage from Village vehicles and buildings to Town of Lyons policies, and to transfer NYSEG accounts from the Village to the Town...all as a result of Village dissolution. Motion seconded by Councilman DeSain. Vote:

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

Supervisor Manktelow reminded everyone that the Town's regular Dec. meeting will be held on the 30<sup>th</sup> and the 2016 Organizational meeting will be held Monday Jan. 4. Both at 7 p.m.

Councilman DeSain then discussed recent interview he and Highway Supt. Tim Moore recently conducted regarding the hiring of another Buildings and Grounds employee to start the first of the year. He is recommending the hiring of Dale Kenville to the position. After a discussion, Councilman DeSain moved to hire Mr.Kenville pending a drug test and a background check. Motion seconded by Councilman D'Amato. Vote:

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

Councilman LaGasse moved to hire A & A Electric on a per diem basis, to continue to maintain and repair the street lights on William Street as has been done in the past. Motion seconded by Councilwoman Collins. Vote:

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

Serge Bartishevich then addressed the Board considering the Fire District. As a resolution passed in September creating the District was not filed within 10 days with the State Comptroller's Office, the State does not recognize the Fire District's existence. He stated that the District's lawyer, Mr. Mark Butler suggested that the Board simply pass the resolution again tonight and then file it with the State. However, Town Atty. Dave Fulvio Disputes that claims stating it's not know what other previous actions would be considered null and void with the second passage of the resolution. Supervisor Manktelow stated that he would call a special meeting to get the resolution passed if all attorneys agree that that can be done.

At 8:40 p.m., Councilman LaGasse moved to go into executive session to discuss union negotiations and pending ambulance department litigation. Motion seconded by Councilman D'Amato. Vote:

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

At 9:20 p.m., Councilman DeSain moved to come out of executive session. Motion seconded by Councilwoman Collins. Vote:

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

Councilman DeSain then moved that after due consideration, the Lyons Town Board recommends to the Wayne County Water Authority that payments for water and sewer bills be mailed directly to the Authority in Walworth and any person wishing to pay in person be required

to go to the Water Authority in Walworth to make the payments. 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

Councilman DeSain, moved to retain the law firm of Coughlin and Gerhart in Binghamton, NY to represent the Town , subject to recommendations from the Villani Law Office concerning litigation brought forth by a former Village employee regarding compensation matter. Motion seconded by Councilman D'Amato. Vote:

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

Councilman DeSain moved to grant Highway Employee Sam Toner two weeks vacation per year effective January 1, 2016. Motion seconded by Councilman D'Amato. Vote:

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

As there was no further business, the workshop was adjourned at 9:30 p.m.

Sal Colatarci

Lyons Town Clerk