

April 30, 2014

The Town Board of the Town of Lyons met for a regular monthly meeting on Wed . April 30, 2014 at 7:00 p.m. in the Town Board meeting room.

Present: Brian Manktelow, Supervisor  
Dan LaGasse, Councilman  
Phil DeSain, Councilman  
Sal Colatarci, Town Clerk  
Jake Emmel, Supt. of Highways

Also Present: Michelle Villani, Atty., Jack McCrannels, Jerry Crandall, Jim Brady, Pete Mastracy, Bob Darcangelis, Ron DeCracker, Robert Groom, Dave and Donna DeWolf, Harry DeCook, Joanne Greco, Jim Wedman, John Paliotti, Carl O'Mara, Jim Miller, FL Times, Bob Milliman, Jeremiah and Amanda Dresser, David, Hammond, Haley Vastbinder, Amanda Knapp, Mckenzie Serens.

Absent: Nancy Collins, Councilwoman  
Ralph D'Amato, Councilman

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 stand for Pledge of Allegiance.

Councilman DeSain moved to accept the minutes from the March 26 and April 16 2014 meetings. Motion seconded by Councilman LaGasse. Vote:

Councilman DeSain voting aye  
Councilman LaGasse voting aye  
Supervisor Manktelow voting aye

Councilman DeSain then offered a resolution authorizing a one year extension of agreements with Hartford Life Insurance/Mass Mutual Company for administration of the Town's Deferred Compensation Plan

**WHEREAS, the Town of Lyons** contracts with Hartford Life/MassMutual Insurance Company to administer a Deferred Compensation plan for its employees; and

**WHEREAS,** the purpose of such plan is to provide employees with a convenient and tax-favored method of saving on a regular and long-term basis and thereby provide for their retirement and

**WHEREAS,** these contracts expired on June 24, 2013 and

**WHEREAS,** Section 9003.5(b) of the Rules & Regulations of the New York State Deferred Compensation Board allows for two additional one-year extensions from the expiration date of the contracts and

**WHEREAS,** it was in the best interest of the **Town of Lyons** to extend contracts with Hartford Life/MassMutual Insurance Company for a period of one year from the expiration date of June 24, 2013 to June 24, 2014 for reasons which include but are not limited to the preservation of the stability of the Plan's administration, to have additional time to evaluate the effectiveness of programs and to prepare for the solicitation and evaluation of competitive proposals in accordance with Section 9003.3 of the Rules & Regulations of the New York State Deferred Compensation Board.

**NOW,** upon recommendation of the Deferred Compensation Committee of the **Town of Lyons,** be it

**RESOLVED,** that the **Town of Lyons** is once again hereby authorized to extend, for a **second final** one-year extension period from the expiration date of June 24, 2014 to June 25, 2015 which would extend, the Deferred Compensation Plan Administration contracts

with Hartford Life/ MassMutual Insurance Company in conjunction with Reliance Trust Company as Trustee.

Above resolution seconded by Councilman LaGasse. Vote:

Councilman DeSain voting aye  
Councilman LaGasse voting aye  
Supervisor Manktelow voting aye

Town Clerk Colatarci will send out the necessary paperwork granting the extension.

The Board then discussed a Public Participation policy. Supervisor Manktelow expressed concern regarding the creation of such a policy as he felt it didn't allow the public to adequately express comments. He said he was at a recent School Board meeting and was given only 2 minutes to express his thoughts. He suggested a policy setting a time limit for speaking should only be done at a Public hearing where several people could be speaking. The rest of the Board members agreed.

Department reports were heard. Assessor Tina McQuillen reported that the Town's tentative roll has been turned over to the County. The County then will be printing the Town's change in assessment notices to property owners whose assessment has increased or decreased from the previous year. Informal hearing will be held by the Assessor should anyone want to discuss their change in assessment prior to Grievance Day.

Ambulance Administrator Paul Fera Jr. reported that the ambulance responded to a total of 142 calls in March, of which 74 were ALS in nature.

John Paliotti updated the Board on cemetery matters. He said several burials have already taken place and now that the grounds workers are back to work, several footers will be installed for stones/markers. He also mentioned a couple new mowers will be needed to mow the grass at the Rural Cemetery and he asked if any help is available from the Work Force Development Office.

Highway Supt. Jake Emmel reported the department has boomed all the intersections in the Town, started repairing wing damage from winter plowing as all the plows and wings have been removed from the trucks. He also informed the Board that he will be on vacation from May 5 through the 19.

Councilman DeSain moved to allow Mr. Emmel to attend Highway School on June 2, 3, and 4 at Town expense. Motion seconded by Councilman LaGasse. Vote:  
Councilman DeSain voting aye  
Councilman LaGasse voting aye  
Supervisor Manktelow voting aye

Councilman LaGasse moved to approve payment of General Fund vouchers # 128 through #178 totaling \$66,038.52  
And Highway Fund vouchers #62 through #83 totaling \$15,722.51  
Motion seconded by Councilman DeSain. Vote:

Councilman LaGasse voting aye  
Councilman DeSain voting aye  
Supervisor Manktelow voting aye

The Board discussed a request from the Village to grant an easement to the Village allowing access to a storm and sanitary sewer cross connection on Catherine Street on Town owned property at the Elmwood Cemetery. The Board has no problem with granting the easement but wants to make sure any action will not effect water in the neighborhood. The Board tabled a formal resolution granting the easement until the next meeting on May 28, 2014.

Supervisor Manktelow explained the State DEC is requiring the situation be corrected to reduce the storm water entering the sanitary sewer system. This can be accomplished by

redirecting the storm sewer away from the sanitary sewer line, but the Village must do this work on Town property. Granting the easement would rectify the situation.

Supervisor Manktelow reminded everyone that the Memorial Day parade will be held on May 26<sup>th</sup>. Line up is at 9 a.m. Everyone is invited.

Supervisor Manktelow explained that an Inter Municipal agreement between the Town and the Village for both the Highway Department and the Code Enforcement Officer is in the hands of the Village Attorney prior to being presented to the Village Board for approval.

Each Board member then gave a brief update on what each has been doing with regard to the Village Dissolution process including meeting with both Town and Village employees asking them what is important to them as part of the dissolution process. Supervisor Manktelow said one of the first items to be taken over by the Town would be the issuing of handicapped parking permits as the renewal process for the Village is now approaching and the renewal is for a 3 year term. Needless to say there is not 3 years remaining before the Village dissolves. Supervisor Manktelow then opened the meeting up to those in attendance to ask any questions with regard to the dissolution.

At 8:10 p.m., Councilman DeSain moved to go into executive session to discuss a personnel matter and asked Highway Supt. Jake Emmel to stay. Motion seconded by Councilman LaGasse. Vote:

Councilman DeSain voting aye  
Councilman LaGasse voting aye  
Supervisor Manktelow voting aye

At 8:58 p.m. Councilman DeSain moved to come out of executive session. Motion seconded by Councilman LaGasse. Vote:

Councilman DeSain voting aye  
Councilman LaGasse voting aye  
Supervisor Manktelow voting aye

The meeting was adjourned at 9:00 p.m.

Sal J. Colatarci  
Lyons Town Clerk