

June 27, 2012

The Town Board of the Town of Lyons met for a regular monthly meeting on Wed. June 27, 2012 at 7:00 p.m. in the Town Board meeting room.

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

Also Present: Jim Wedman, Ruth Marshall, Michelle Villani, David and Donna DeWolf, Bob Boots, Mike and Peg Peltier

Absent: Councilman D'Amato

This meeting was duly noticed by contacting the Times of Wayne newspaper, as well as posting a notice on the Town bulletin board.

All stood for the Pledge of Allegiance.

Councilman LaGasse moved to accept the minutes from the May 30, 2012 meeting. Motion seconded by Councilman DeSain. Vote:

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

Donna Dewolf questioned the Town Board as to whether there has been any further progress or developments with regard to the Lyons Community Center. Supervisor Manktelow explained that the issue has been discussed at Shared Services Committee meetings (meeting represented by members from the Town, Village and School District). Also, the question of the safety of Amish buggies on Town roads was again raised. The Dewolf's brought this to the Board's attention a few months ago. They told the Board they contacted Sheriff Virts about the matter per Supervisor Manktelow's suggestion, and they heard nothing back from the Sheriff. Supervisor Manktelow said he would contact the Sheriff and also Attorney Villani said she would look into the issue as well.

Mr. Bob Boots President of the Lyons Chamber of Commerce updated the Board on the status of the new Lyons gateway web site. He explained due to various circumstances, the site has been, and will be delayed another 2 or 3 weeks. Once technical issues are resolved, training sessions will begin for the respective web masters. In the meantime, old websites are still up and running.

Department reports were heard. Highway Supt Jake Emmel explained that bids were opened for a new dump truck and plow equipment. Five bids were received from 4 companies as follows:

Beam Mack Sales: \$193,161.34 + \$2500 for spreader control option  
Regional International: \$196,577.00 +\$2500 for spreader control  
Tracey Road Equip.: \$192,892.00 + \$2500 for spreader control OR  
Tracey Road Equip.: \$200,056.00 +\$5915 for spreader control  
Viking: \$80,028.00 (plow equipment) + \$4217.45 for spreader control

Also, oil and stoning work is complete. Repairs have been made to various mowers at both the Elmwood and Rural Cemeteries. The culvert pipe on DeBusse Rd has been replaced. The Town of Lyons has helped both the Town's of Arcadia and Sodus with various work. Work continues on the Canal Trail. Supt. Emmel announced the Highway Dept. will be on shut down the week of July 2 and a skeleton crew the following week.

The Board discussed the truck bids. Before making any decisions, it was decided it would be best to see what the old truck is worth. Truck specifications will be posted on several websites by Highway Supt. Jake Emmel. The matter will be discussed at a later date.

Supervisor Manktelow updated the Board on the County's plan for a County-wide rabies control program. He said many towns are giving written notice to the County to end the contract that dates back to January 1994 which stated each town needed to have someone to for rabies filed response available 24 hours, 7 days a week. Supervisor Manktelow pointed out that now, the County to responsible for the entire rabies response issue so a contract with the county is no longer needed. Councilman DeSain moved to allow the Supervisor to send a letter to the County, giving 30 days notice that the Town of Lyons will opt out of the 1994 contract as of Aug. 1, 2012. Motion seconded by Councilman LaGasse. Vote:

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

Supervisor Manktelow then mentioned that there are some employees as well as retirees asking about obtaining dental insurance to be paid totally by the employee with no cost to the Town. He said a representative from Excellus has been contacted about pricing. When that information arrives, the Board will review it and pass the information onto the interested employees/retirees. Councilman Paliotti moved to allow Town retirees and Town employees to be eligible for dental insurance with full cost coming from the retirees and employees and at no time will the Town of Lyons inc incur any of the dental insurance costs. Motion seconded by Councilman DeSain. Vote:

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

Councilman LaGasse then moved the following resolution, seconded by Councilman DeSain:

**WHEREAS**, the Lyons Town Board adopted an Employee Handbook by resolution of the Town Board on May 30, 2012, and

**WHEREAS**, the Handbook sets forth certain benefits for full-time employees who are regularly scheduled to work a minimum of forty (40.0) hours per week, and

**WHEREAS**, Diane Kitchen, who is currently employed by the Town in the position of "Account Clerk", has historically enjoyed certain benefits although she is only regularly scheduled to work thirty-two (32.0) hours per week, and

**WHEREAS**, the Town Board has determined that Diane Kitchen may continue to enjoy certain benefits although she is not regularly scheduled to work a minimum of forty (40.0) hours per week,

**NOW, BE IT RESOLVED**, that Diane Kitchen may continue to enjoy those benefits which she currently enjoys, i.e. paid holidays, vacation leave, paid personal leave, and sick leave, and

**BE IT FURTHER RESOLVED**, that this resolution only benefits Diane Kitchen, personally, and

**BE IT FURTHER RESOLVED**, that this resolution shall be effective, retroactively, as of May 30, 2012, so that it is consistent with the adoption of the Handbook, and

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be included in the contents of Diane Kitchen's personnel file.

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

Councilman LaGasse then moved the following resolution, seconded by Councilman DeSain:

**WHEREAS**, the Lyons Town Board adopted an Employee Handbook by resolution of the Town Board on May 30, 2012, and

**WHEREAS**, the Handbook sets forth certain benefits for full-time employees who are regularly scheduled to work a minimum of forty (40.0) hours per week, and

**WHEREAS**, Mary Jo Smokoski, who is currently employed by the Town in the position of “Clerk Typist”, has historically enjoyed certain benefits although she is only regularly scheduled to work thirty-two (32.0) hours per week, and

**WHEREAS**, the Town Board has determined that Mary Jo Smokoski may continue to enjoy certain benefits although she is not regularly scheduled to work a minimum of forty (40.0) hours per week,

**NOW, BE IT RESOLVED**, that Mary Jo Smokoski may continue to enjoy those benefits which she currently enjoys, i.e. paid holidays, vacation leave, paid personal leave, and sick leave, and

**BE IT FURTHER RESOLVED**, that this resolution only benefits Mary Jo Smokoski, personally, and

**BE IT FURTHER RESOLVED**, that this resolution shall be effective, retroactively, as of May 30, 2012, so that it is consistent with the adoption of the Handbook, and

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be included in the contents of Mary Jo Smokoski’s personnel file.

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

At 8:05 p.m. Councilman DeSain moved to go into executive session, asking Highway Supt. Jake Emmel to remain. Motion seconded by Councilman Paliotti. Vote:

Councilman DeSain voting aye  
Councilman Paliotti voting aye  
Councilman LaGasse voting aye  
Supervisor Manktelow voting aye.

At 8:50 p.m., Councilman LaGasse moved to come out of executive session. Motion seconded by Councilman DeSain. Vote:

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

Councilman LaGasse moved to approve General vouchers # 249 through #300 and # 303 and # 304 and to approve # 301 and #302 pending clarification from the Ambulance Dept. And Highway vouchers #98 through #110 and # 112 through # 116. Highway voucher # 111 will NOT be approved for payment as the Board wished to put this item through the insurance company. Motion seconded by Councilman DeSain. Vote:

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

As there was no further business, the meeting was adjourned at 9:00 p.m.

Sal J. Colatarci  
Lyons Town Clerk