

SPECIAL MEETING OF THE VILLAGE OF LYONS BOARD OF TRUSTEES HELD ON TUESDAY, APRIL 5, 2011, AT 6:00 P.M. AT THE VILLAGE HALL, 76 WILLIAM STREET, LYONS, NEW YORK.

PRESENT: Corrine Kleisle, Mayor
Dennis Alvaro, Deputy Mayor
Richard Evangelist, Joanne Greco, Terry VanStean Trustees
Richard Bogan, Police Chief
Denise Darcangelis, Clerk-Treasurer
Arthur Williams, Village Attorney
Michael Salerno, General Working Foreman
Charles Witt, Fire Chief (Left at 7:02 P.M.)

Mayor Kleisle welcomed everyone present and all stood for the pledge to the flag.

Mayor Kleisle called the meeting to order and a Public Hearing on the 2011-2012 budget was declared. The legal notice was read by the Clerk-Treasurer and the affidavit of posting was presented.

Mayor Kleisle explained the 2011-2012 Village Budget presents an increased tax rate of 1.7% (\$19.6218 to \$19.9649 per \$1000 assessed valuation). (\$.34 per \$1000 assessment). A property assessed at \$75,000 would see a \$25.50 increase in their tax bill for June 2011. It is necessary to raise an additional \$80,404.76 over last year's budget.

There has been an approximate assessment loss of \$1,550,000 which equates to loss of \$31,000 in revenue. PILOT PROGRAM removed from revenue (\$76,746) with an assessment of \$3,800,000 and returned to tax roll. (\$105,711,488 – 2011 assessment minus \$103,462,047 – 2010 assessment for a difference of minus \$1,550,000 from various changes in assessments).

Major differences in the budget were a decrease in Police Department appropriations due to the decision to not fill two vacancies within the department for an approximate \$51,325 reduction. However there is an additional \$60,000 budgeted to fund contract requirements for three police personnel who retired in 2010 and 2011.

A joint decision between the Town of Lyons and Village to share a full time Code Enforcement Officer will cost an approximate \$83,000 for wages and benefits at an additional Village cost of \$40,000. The total cost (\$83,000) will be split approximately 80% Village and 20% Town.

Employee benefits have increased an estimated \$64,594. Unfunded mandates, such as pension costs, health insurance, contractual wage increases and NYS Workers compensation drive these costs higher each year.

Town Supervisor, Brian Manktelow, questioned if this reflects the new assessments that were just mailed out. Mayor Kleisle stated the new assessments would not go into effect for the Village until June 2012.

Councilman, Dan LaGasse, questioned if the budget included the grant writer. Mayor Kleisle stated it did and she feels Rebecca Gamba is well worth it.

Mayor Kleisle reviewed the budget lines in detail. She opened the hearing for public comment as each budget line was discussed.

Mayor Kleisle thanked Police Chief Bogan for the reductions made in the Police Department and making the Lyons Police Department budget manageable.

Mayor Kleisle also thanked Fire Chief Witt for his recommendations to reduce the budget in the Fire Department.

Town Supervisor, Brian Manktelow, questioned with not putting money away in the reserve equipment account for fire equipment if there would be a reduction to Town residents who pay 40% of the Fire Department budget. Mayor Kleisle stated yes, because we are on different fiscal years, this would not be reduced until January 2013.

Mr. Stuart Smart, 75 Broad Street, stated when the streets are salted they appear to be more slippery than untreated streets. He has noticed this on several occasions. He questioned if they are doing this right. Mayor Kleisle assured him they are treating the roads properly. He also questioned if CanalView Apartments are paying taxes. Mayor Kleisle advised they are on the PILOT program.

Mayor Kleisle then discussed the Water Fund. She stated with the decommissioning of the Water Plant, a lot of estimating was done. Since fiscal year 2007, water rents have decreased from \$703,809 to \$556,123 in 2010, with estimated revenue of \$510,000 for fiscal year ending May 31, 2011. The main reason for the reduction, in water rents, has been the loss of major industrial water users in the Village and conservation measures by all residential users. In September 2009, the Wayne County Industrial Development Agency, in partnership with the Village, commissioned a water and sewer rate study, which would provide an analysis to the Village, whether it is feasible and cost effective to purchase our water needs from the Wayne County Water and Sewer Authority or spend 2-3 million dollars on the renovation of the existing water plant, and continue absorbing escalation of personnel costs, production costs, and equipment needs.

The last time water rates were increased was in April 2006. And, as stated above our annual revenue has dropped from \$703,809 to approximately \$510,000. The loss of revenue has placed the Water Fund in deficit and the 2011-2012 includes a \$60,000 deficit reduction allocation.

The Village Board reviewed potential costs to operate and upgrade its water treatment plant and to adjust its water rate structure accordingly. Conclusion drawn from the review determined that the Village would save costs by decommissioning its water treatment plant and purchasing water from the Wayne County Water and Sewer Authority. Once approvals from NYS Agencies are received, the Water Plant will go out of service. Time frame should be within the next 3-4 months.

In order to bring the Water Fund back into balance and reduce annual deficit, there will be a rate increase that will be in the range of 30%. To continue operation of the water plant, the need to increase rates would be an additional \$1.00 per million dollars borrowed along with deficit reduction appropriations.

Reduction in sewer rent revenues, for the same reasons as listed in the water fund, have also resulted in a deficit in the fund. Within the 2011-2012 budget is an appropriation for \$25,000 which will start reducing deficit and bring the fund into balance. There is also a new appropriation of \$14,857 for a reserve fund for equipment purchase. These two designations account for the majority of the \$34,000 increase in the sewer fund. In order to accomplish deficit reduction and keep pace with personnel and related costs, the fund assumes a rate increase of approximately 10%. The last rate increase was in April 2008.

RESOLUTION offered by Mr. Evangelist, second by Mr. VanStean

RESOLVED that the Public Hearing on the 2011-2012 budget is hereby closed at 7:17 P.M.

AYES: Mr. Alvaro, Mr. Evangelist, Ms. Greco, Mr. VanStean

RESOLUTION offered by Ms. Greco, second by Mr. Alvaro

RESOLVED that the 2011-2012 budget for the Village of Lyons be adopted. (Per attached)

AYES: Mr. Alvaro, Mr. Evangelist, Ms. Greco, Mr. VanStean

Jerry Ashley, 37 Bear Street, stated he and Scott Bailey are willing to paint the public notice sign in the Village Park. They are looking to use three colors to compliment the buildings around it.

RESOLUTION offered by Mr. Evangelist, second by Mr. VanStean

RESOLVED that permission is granted for Jerry Ashley and Scott Bailey to paint the public notice sign in the Village Park.

AYES: Mr. Alvaro, Mr. Evangelist, Ms. Greco, Mr. VanStean

RESOLUTION offered by Mr. VanStean, second by Mr. Evangelist

RESOLVED that the accounts that are overdrawn be balanced in the general, water, and sewer funds. (Per attached sheet)

AYES: Mr. Alvaro, Mr. Evangelist, Ms. Greco, Mr. VanStean

Clerk-Treasurer, Denise Darcangelis, advised the Board quotes were requested to remove all wallpaper, wash the glue off the walls and paint the Clerk Treasurer's Office, Mayor's Office, Main Office, front lobby, stairway and trim.

RESOLUTION offered by Mr. Evangelist, second by Mr. VanStean

RESOLVED that the quote for \$1,450 from Dobbins Painting and Contracting for paint and materials to paint the Clerk Treasurer's Office, Mayor's Office, Main Office, front lobby, stairway and trim, remove all wallpaper and wash the glue off the walls is accepted.

AYES: Mr. Alvaro, Mr. Evangelist, Ms. Greco, Mr. VanStean

Clerk-Treasurer, Denise Darcangelis, advised the Board quotes were requested to repair the tile in the front lobby.

RESOLUTION offered by Mr. VanStean, second by Mr. Evangelist

RESOLVED that the quote in the amount of \$550.00 from KRP Construction to remove the tile in front of the stairs and main door, install sub-floor and place a 5 x 8 commercial carpet with thresholds, remove and replace the broken tile and install grout where needed is accepted.

AYES: Mr. Alvaro, Mr. Evangelist, Ms. Greco, Mr. VanStean

RESOLUTION Offered by Mr. VanStean, second by Mr. Evangelist

RESOLVED that authorization is granted to pay the final application for payment to F.W. Construction Corp. for the Wastewater System Green Improvements in the amount of \$10,173.00.

AYES: Mr. Alvaro, Mr. Evangelist, Ms. Greco, Mr. VanStean

Mayor Kleisle advised the Village Board notification has been received from the Department of Health that the Village of Lyons is now in compliance with the Maximum Contaminant Level (MCL) for the Total Trihalomethanes. We are no longer in violation. For your information only.

Mayor Kleisle stated communication was received from Holzberg Law Firm who represents, Victoria Sculli, property owner of 82 William Street. They sent a notice to the Village of Lyons that the pool at 86 William Street is no longer enclosed. They stated prior to the demolition of 82 William Street the pool was enclosed. The north side of the building at 82 William Street was used to keep the area enclosed; since the building has been torn down there, is an open area. A notice of violation has been sent to the property owner advising her to make the repair to the fence. If this is not done within the required timeframe, the Village of Lyons will hire this to be done with an additional 50% surcharge. This will be relieved to taxes if this remains unpaid. For information only.

RESOLUTION offered by Mr. Evangelist, second by Mr. Alvaro

RESOLVED that the Village Board is authorized to attend the Canal New York annual meeting, Monday, April 25, 2011, in Baldwinsville, NY from 2:00 P.M. to 4:00 P.M., cost \$20.00. All expenses to be borne by the Village of Lyons.

AYES: Mr. Alvaro, Mr. Evangelist, Ms. Greco, Mr. VanStean

Mayor Kleisle discussed when brush pick up will resume. It was determined to start the week of April 25, 2011. Notification will be put in the paper for two weeks.

Mayor Kleisle stated notification was received from the Wayne County Cablevision Council the wording for the resolution, section 3.0 on March 15, 2011, needed to be amended.

RESOLUTION offered by Mr. VanStean, second by Mr. Evangelist

RESOLVED that Mayor Kleisle is the representative, and Richard Evangelist is the alternate to the Wayne County Cable Council on behalf of the Village of Lyons. Each representative and alternate shall be appointed to a two year term, and shall serve until his/her term expires and his/her successor is appointed. The alternate shall attend such meetings as the representative is unable to attend and shall have the full voting power and privileges of the representative.

AYES: Mr. Alvaro, Mr. Evangelist, Ms. Greco, Mr. VanStean

Mayor Kleisle read a letter of resignation from Brian Engels from the Village of Lyons Zoning Board of Appeals. Mr. Engels has moved out of the Village limits and no longer can serve on the Village of Lyons Zoning Board of Appeals.

RESOLUTION offered by Mr. VanStean, second by Mr. Evangelist

RESOLVED that the letter of resignation from Brian Engels from the Village of Lyons Zoning Board of Appeals be accepted and a thank you letter be sent to him for serving on the Zoning Board.

AYES: Mr. Alvaro, Mr. Evangelist, Ms. Greco, Mr. VanStean

Mayor Kleisle reported all of the income surveys have not been returned from the residents on Montezuma Street that is needed for the CDBG grant. Forty-five are still outstanding. Due to the time restraints, the Village Board will have to knock on doors to get the surveys completed. It was decided that Saturday, April 9th at 9 A.M. Trustee Greco, Trustee VanStean, and Trustee Evangelist would knock on doors to get the income surveys finished.

RESOLUTION offered by Mr. VanStean, second by Mr. Evangelist

RESOLVED that authorizations is granted to donate \$200.00 through for the collaborative efforts of Lyons Chamber of Commerce, Lyons Main Street Program, the Town and Village of Lyons, and private donors for the Informational/Tourist Pocket Cards for promoting Lyons Businesses, Tourism Information and Canal Amenities.

AYES: Mr. Alvaro, Mr. Evangelist, Ms. Greco, Mr. VanStean

Mayor Kleisle discussed the vacant position of Motor Equipment Operator. She would like to have the applications reviewed and by April 19th have a final candidate. General Foreman, Michael Salerno, and Deputy Mayor, Dennis Alvaro, will start the interview process.

Trustee VanStean questioned the full time position of the Laborer. He would like to hire two part time people to save the Village money. Clerk Treasurer, Denise Darcangelis, will check with Wayne County Human Resource to verify the Civil Service rules.

Mayor Kleisle stated she asked for an extension of the changes with the Municipal Codes. A two month extension was granted. She is asking all Board members to take advantage of the extension and review the updates and make any recommended changes.

Trustee VanStean reported he attended the Peppermint Days meeting. They are moving right along with their planning and are in good shape. The Clyde Community Players will be putting on a play, July 7th and possibly a Sunday performance. Half of the proceeds will go to Peppermint Days. The Grand Parade will be on Friday night, July 8th. Notifications are being sent out to other Fire Companies from the Lyons Fire Department. Kiddie Parade and Tractor Parade will take place Saturday, July 9th, along with the Tractor Square Dance and People Square Dance. Junk in the Trunk and the Fireworks will also take place Saturday. For fundraising, they are planning a Boot Drive the date to be determined, and a Beer Tasting event to be held at Growler's on May 21st.

Trustee VanStean also attended the Lyons Chamber of Commerce meeting. The new officers were elected. Stephanie Knarr is now the President, Matt Cook is the Vice President, and Tom Herendeen is the Treasurer. The Secretary position was not filled. The donation for the Informational/Tourist Pocket Cards was also approved by the Lyons Chamber of Commerce.

Trustee VanStean stated he felt uninformed as a Public Official on a recent article put in the paper regarding the West Water Street Bridge. The bids for that project came in less with a savings of approximately \$500,000. Trustee VanStean stated he was unaware of this.

Trustee Evangelist stated when the new building permits and inspection fees were adopted, additions was omitted. Village Attorney, Arthur Williams advised to hold off and add this change when we re-codify the Code Book.

RESOLUTION offered by Mr. Evangelist, second by Mr. VanStean

RESOLVED that when the Village of Lyons Municipal Code Book is updated to include any additions to be increased from \$20.00 minimum to \$50.00 minimum.

AYES: Mr. Alvaro, Mr. Evangelist, Ms. Greco, Mr. VanStean

RESOLUTION offered by Mr. VanStean, second by Mr. Evangelist

RESOLVED that the 1996 Ford Suburban be declared surplus and taken to the municipal auction in May.

AYES: Mr. Alvaro, Mr. Evangelist, Ms. Greco, Mr. VanStean

Trustee Evangelist read a letter of commendation for Officer Mastracy during a recent burglary investigation he was assigned. On file with the Village Clerk.

Trustee Evangelist also read a letter of praise for Police Chief Bogan. Trustee Evangelist stated he has heard a lot of good comments regarding Chief Bogan as well.

RESOLUTION offered by Mr. Evangelist, second by Mr. VanStean

RESOLVED that an executive session be declared to discuss LPA Contract

AYES: Mr. Alvaro, Ms. Greco, Mr. Evangelist, Mr. VanStean

Executive session declared at 8:05 P.M.

Police Chief Bogan was present.

Police Chief Bogan left executive session at 8:11 P.M.

RESOLUTION offered by Mr. VanStean, second by Ms. Greco

RESOLVED that regular session be resumed at 8:25 P.M.

AYES: Mr. Alvaro, Mr. Evangelist, Ms. Greco, Mr. VanStean

Chief Bogan stated he has continued his work to clean up and clean out the Lyons Police Station. He provided a list to the Village Board on items he would like to take to RCR & R of Fairport's drop site offered by the Town of Lyons for disposal.

RESOLUTION offered by Mr. VanStean, second by Mr. Evangelist

RESOLVED that the items on the list from Chief Bogan be declared surplus and disposed of. (See Attached)

AYES: Mr. Alvaro, Mr. Evangelist, Ms. Greco, Mr. VanStean

Trustee Greco reported the Sixth Annual Canal Splash will be held August 12th-August 14th. Looking for ideas for this event.

Trustee Greco stated Chief Witt will be keeping 12 radios that were declared surplus on March 15, 2011. Six radios will be donated for confined space and 6 will be donated for fire training.

Trustee Greco reviewed the Lyons Fire Department report for the month of March. On file for future information.

Mayor Kleisle reminded everyone of the Flower Power Canal Clean Up will be held Saturday, April 16, 2011, from 9:00 A.M. to noon.

RESOLUTION offered by Mr. VanStean, second by Mr. Evangelist

RESOLVED that the meeting be adjourned.

AYES: Mr. Alvaro, Mr. Evangelist, Ms. Greco, Mr. VanStean

Meeting adjourned at 8:35 P.M.

Denise Darcangelis, Clerk-Treasurer

