

REGULAR MEETING OF THE VILLAGE OF LYONS BOARD OF TRUSTEES HELD ON TUESDAY, AUGUST 17, 2010, 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
Michael Donalty, Police Chief
Denise Darcangelis, Clerk-Treasurer
Arthur Williams, Village Attorney (Left at 6:58 P.M.)
Michael Salerno, General Working Foreman

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

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

RESOLVED that the minutes of the regular meeting held on July 20, 2010, special meeting held on August 3, 2010 and special meeting on August 9, 2010, be approved as submitted.

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

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

RESOLVED that the audit be approved as submitted: #150-#158 General, Water and Sewer Fund \$50,630.40; #159 CDBGR \$54,018.57; #160-#162 General, Water, and Sewer Fund \$189,362.26; #163-#164 Capital Project-Canal \$74,651.00; #165-#231 General, Water and Sewer Fund \$186,375.82; #232-#233 Trust & Agency, Drug Forfeiture \$343.35; #234-#236 GIGP \$81,614.50; #237 Capital Project-PON 4 \$10,500.00; #238 CDBGR \$4,276.60; #239 Capital Project-West Water Street Bridge \$16,000.00; #240 Capital Project-Canal \$104,903.75; #241 General, Water and Sewer Fund \$6,250.00.

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

Village Attorney, Arthur Williams, discussed the notice from the Wayne County Treasurer notifying the Village of Lyons, the 2009 or prior year taxes for the property at 7 Broad Street have not been paid. This is a standard notice sent out to anyone that has interest in a property when taxes are not paid. The Village of Lyons does have an interest because Nusbickel Associates has a Community Development loan with the Village of Lyons. He recommends a letter be sent to Nusbickel Associates, owner of the property, to find out their position for paying the back taxes.

Mayor Kleisle reminded everyone of the hearing to be held on Tuesday, August 24, 2010, at 6:00 P.M. with Mr. William Griffiths, to discuss the number of complaints at his property at 44 Shuler Street.

The Treasurers report was submitted and is on file.

RESOLUTION offered by: Ms. Greco, second by Mr. Evangelist

RESOLVED that authorization is granted for the attendance of the Village Board, Clerk-Treasurer and the Village Attorney to attend the Wayne County Village Officials meeting to be held on September 15, 2010, at Blue Heron Hills Golf Club in Macedon, expenses borne by the Village of Lyons.

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

Clerk Treasurer, Denise Darcangelis, read a letter from Andrew DeWolf, 7 Sisson Street, disputing the number of pages sent to him per his FOIL request and number of man hours it has taken to gather, review and scan the information to him. The letter will be placed on record.

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

RESOLVED that authorization is granted to transfer \$1,044.60 from A1990.4 Contingency to A7140.499 Parks and Recreation miscellaneous account to complete the retaining wall at the Northside/Southside Canal Project.

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

Clerk Treasurer, Denise Darcangelis, announced NYMIR has refunded the Village of Lyons the second installment of \$4,823.75. This is a program they started to return 75% of the initial capital contribution to eligible subscribers over a three year period that has completed their 5 year consecutive capital contribution. For Information Only.

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

RESOLVED that authorization is granted to remove invoice #3652 in the amount of \$2,268.88 for Pacello's Lazer Wash and replace it with invoice #3662 for \$1,455.28. The Village was able to obtain the equipment needed from another vendor at a better price.

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

Village Clerk, Denise Darcangelis, referred to an Alcoholic Beverage License Application received from Katherine A. Sherwood. She will be conducting business at the Bridge Tavern Restaurant. She is giving the Village of Lyons a 30-day advance notice. For Information Only.

Mayor Kleisle discussed the excitement the Village of Lyons experienced today. There was a visit from the Carmella R. Mantello, Director of NYS Canal Corporation. She toured the Canal and was very impressed with the North/South Canal Improvements Project. She would like to have a celebration when the project is complete. It was decided to have a ribbon cutting on September 17, 2010, when the Flotilla is scheduled. More details will follow.

Mayor Kleisle mentioned she asked the State and County to assist with cutting the brush and trees on the Canal side. Within 1 ½ days, the majority of the work was done. This was a great effort by everyone. The area looks wonderful.

Mayor Kleisle discussed the meeting at the Ohmann Theatre regarding the Port of Lyons. The meeting was very positive and looks like things will be moving forward.

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

RESOLVED that the Village of Lyons supports the Wayne Economic Development Agency to authorize an Economic Development Feasibility Study of the Port of Lyons and work with consultants and provide all material requested.

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

The Village Justice Report for July 2010 has been received and placed on file for future information.

Mayor Kleisle discussed the New York State Energy Research and Development Authority (NYSERDA) Program Opportunity Notice (PON) 2078 seeking proposals that have the potential of reducing the carbon intensity of the existing multi-modal transportation system in New York State. Larsen Engineers has offered to apply for this grant on behalf of the Village of Lyons at no-charge. The grant deadline is August 25, 2010.

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

RESOLVED that authorization is granted for Larsen Engineers to apply for the PON 2078 Low Carbon Transportation Alternatives, through NYSERDA, for the Village of Lyons at no charge.

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

Mayor Kleisle read a retirement letter from Larry Shepard, MEO of the Department of Public Works. This will be placed on record.

RESOLUTION offered by Ms. Greco, second Mr. Alvaro

RESOLVED that the resignation of Larry Shepard from the Department of Public Works be accepted effective August 27, 2010.

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

Mayor Kleisle read a resignation letter from Officer James Pacello IV effective immediately.

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

RESOLVED that the Village of Lyons accepts the letter of resignation from James Pacello IV, effective immediately.

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

Mayor Kleisle requested the list of names for the sustainability group (Task Force) PON0004 Energy Study. The names suggested were: Tony Amalfitano, Charles Witt, Keith Henry, Dennis Meyer, Tim Brickle, Rick Amundson, John Paliotti, Mike Salerno, and Scott Bailey. Mayor Kleisle will contact them.

Mayor Kleisle stated Senator Kirsten Gillibrand wrote a letter supporting the Village of Lyons application for funding from the 2010 Community Development Block Grant (CDBG) Small Cities Program through the New York State Division of Housing & Community Renewal. This funding would be used to rehabilitate substandard housing in the village. For information only.

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

RESOLVED that Mayor Kleisle is authorized to sign a contract with Simplex Grinnell for \$283.50 annually, to have an auto dialer to Simplex Grinnell which then would dispatch to 911.

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

Mayor Kleisle discussed the CDBG 677PW-R15-08, Elmer Street, Geneva Street, and Depew Avenue Water Main Replacement Project. We were first approved to use the balance of the funds to purchase new water meters for those streets. Now, we are being told this cannot be done. The balance of the funding can be used if more work needs to be done on those streets. Michael Salerno, General Working Foreman, and Trustee Alvaro, will visit the site and report back what can be done to use the remaining funds.

The Flotilla will be arriving in Lyons on Friday, September 17, 2010. The State fleet will consist of the Urger, Grand Erie, and Seneca. They hope to arrive mid to late afternoon. Everyone is invited and encouraged to attend.

Mayor Kleisle publically thanked Jack McCranels for his work and time to repair the Town Clock.

Mayor Kleisle referred to a letter sent to her by a boater praising Lyons, Bob Stopper, and Jack McCranels for being kind and welcoming. The boater really enjoyed her stay here and the hospitality shown by Jack and Bob. She offered some recommendations in which the Mayor will review.

Patty Alena and Mayor Kleisle need to find a location to store some items from the Hotchkiss Building when renovations begin there. The Village Office will store some of the items in the vault in the basement. Renovations are scheduled to start September 15th.

Mayor Kleisle distributed the new and final Water and Sewer Rate Study. She asked the Village Board to review the report and be ready to discuss this at the September 7th board meeting.

Trustee VanStean presented the Village Board with a write up regarding the water issues within the Village of Lyons and possible solutions. He first stated we must understand why we produce water. This is a service to the community and something we need. He feels the Village has not done a good job running this as a business. We must address issues such as the unaccounted water. He feels we must get a handle on what we are doing and correct our shortfall. He suggests we get a RFP to replace our meters and include labor. We need to reach out to Geneva to hear the benefits from their project. We need a RFQ to get our softeners cleaned to fix the water throughput. Put out RFP's for sludge disposal and composting. He feels we need to move forward on these suggestions. We need 100% accountability for water usage.

Trustee Evangelist read the Lyons Police Department report for the month of July. On file for future information.

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

RESOLVED that Sergeant Brendlinger is granted permission to attend Identification Procedures training in Rochester, on September 9, 2010, from 8:30 A.M. to 4:30 P.M. No tuition, overtime or travel expense, one meal reimbursement.

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

Trustee Evangelist reported Public Nuisance letters have been sent to 101 Catherine Street, 97 William Street, and 25 Jackson Street.

Trustee Evangelist stated the retirement bill for Sergeant Flock and Officer VanDuyne was signed by the Governor on August 15, 2010.

Trustee Evangelist informed the Village Board the Village of Lyons was awarded \$1,640 to participate in the statewide, "BUCKLE UP NEW YORK!" campaign. The goal is to increase seat belt usage in an effort to reduce serious injury or death from traffic crashes. The money will be used for overtime expenses.

Trustee Alvaro reviewed the Department of Public Works report for July 2010 this will be placed on file for future information.

Discussion took place regarding paving in the Village for 2010. The Department of Public Works has been working on the Canal bank, will need to go to the Sewer Plant to assist with the grant project there.

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

RESOLVED that due to time restraints, the paving program be delayed until the early paving season in 2011.

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

Trustee Greco read a letter from Fire Chief Witt regarding Officer Peter J. Mastracy, actions while on duty at a fire on August 5, 2010. Officer Mastracy assisted with removing a tenant from the fire scene. His assistance and cooperation was appreciated.

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

RESOLVED that the meeting be adjourned.

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

Meeting adjourned at 7:42 P.M.

Denise Darcangelis, Clerk-Treasurer