

REGULAR MEETING OF THE VILLAGE OF LYONS BOARD OF TRUSTEES HELD ON TUESDAY, SEPTEMBER 21, 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, Terry VanStean, Trustees
Karen DeSain, Deputy-Clerk-Treasurer
Art Williams, Village Attorney (left at 6:57 P.M.)

ABSENT: Joanne Greco, Trustee
Denise Darcangelis, Clerk-Treasurer
Michael Donalty, Police Chief
Michael Salerno, General Working Foreman

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

Mayor Kleisle presented a certificate from the New York State Conference of Mayors and Municipal Officials to Larry Shepard in recognition of twenty five years of distinguished public service to our community.

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

RESOLVED that the minutes of the regular meeting held on August 17, 2010, and special meetings held on August 24, 2010 and September 7, 2010, be approved as submitted.

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

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

RESOLVED that the audit be approved as submitted. #242 PON 4 \$30,000.00 #243-#252 General, Water, and Sewer \$166,698.05, #253-#337 \$200,213.61, #338 Trust & Agency-Drug Forfeiture \$78.21, #339 Trust & Agency \$80.41, #340-#342 GIGP \$152,964.53, #343 CDBGR \$10,121.03, #344 Capital Project-Canal \$41,942.50, #345 Reserve-LPD \$2,965.00.

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

Village Attorney, Arthur Williams, updated the Board on the demolition of 35 Phelps Street. A notice has been sent to the defendant. He has until October 8, 2010, to demolish the garage and the property brought into code compliance. If the work is not completed by the deadline date, Village Attorney, Arthur Williams will file an application to the court to have the Village remove the structure. If that occurs, the defendant will be liable for the cost of the removal, attorney fees, and court costs.

Village Attorney, Arthur Williams, discussed the fee changes in our zoning. He stated a short form SEQR would be required to be done for the changes. He will provide a draft that will have to go to the Village and County Planning Boards.

The Treasurer's report was submitted and is on file.

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

RESOLVED that permission is granted for the Clerk-Treasurer to renew the Bond Anticipation Note that is due in September with the Lyons National Bank. This is for the debt of the Route 14 North Sewer Line replacement. Amount renewed is \$60,000 at an interest rate of 1.24%. Copy attached.

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

Mayor Kleisle updated the public on the number of Foil Requests received from Andrew DeWolf. From August 24th to September 14th, 270 pages have been scanned, 9 hours were spent on researching, collecting and reviewing the data. Total to date, 1,396

pages of paperwork has been scanned and 26 hours have been spent on his FOIL requests.

Mayor Kleisle advised the Board a village tax bill for the park property at Canalview is due. This property was transferred after the taxable status of March 1, 2010.

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

RESOLVED that the budget be amended to pay the village tax on the park property deeded to the Village from Canalview Apartments in the amount of \$401.01.

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

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

RESOLVED that the budget be amended for \$30,000 for money received from LGE-Consolidation Grant Study.

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

Mayor Kleisle reported the New York State Retirement System announced the 2012 Pension Contribution rates. The new rates are expected to be 15.6% of payroll for non-uniformed employees and 21.5% for police and fire. For Information Only.

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

A discussion took place regarding the committee members to serve on the Lyons Downtown Revitalization II, 2010 New York Main Street Program.

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

RESOLVED that the following people serve as committee members on the Lyons Downtown Revitalization II, 2010 New York Main Street Program: Jerry Ashley, Dennis Alvaro, Stephanie Knarr, Sharon Lubitow, and Rick Wadsworth.

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

The State of New York Unified Court System requested a copy of our most recent audit of our court records. Quotes have been received.

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

RESOLVED that Paul Wagner's quote for the Justice audit is accepted in the amount of \$2,300 plus reimbursement to him for mileage at the federal mileage rate.

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

Mayor Kleisle informed the board an inspection of our public water supply system is scheduled for Tuesday, September 28, 2010, at 10:00 A.M. by the New York State Department of Health. For information only.

Notification was received by the New York State Department of Transportation regarding the bridge on Water Street over Ganargua Creek. The Yellow Structural Flag is still in effect. NYS DOT is requesting a response for taking appropriate corrective action to assure public safety.

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

RESOLVED that authorization is granted to respond to NYS DOT that bids have been awarded for construction of the bridge on Water Street over Ganargua Creek commencing in March of 2011.

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

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

RESOLVED that Mayor Kleisle is authorized to execute the agreement with Stephan Consulting in the amount of \$2,475 for forty hours of water leakage investigation survey for the Village of Lyons.

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

Mayor Kleisle informed the Board Sergeant John Flock will retire on October 27, 2010, and Police Officer Scott VanDuynes will retire on October 9, 2010. There will be 5 installments made annually to the New York State Retirement System in the amount of \$9,980 for their early retirement cost.

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

RESOLVED that Terry VanStean will be the Village Representative on the Peppermint Days Committee.

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

The Lyons Historical Society has removed the Hotchkiss Mural from the shipping dock of the Hotchkiss Building and placed this temporarily on the trolley abutment, while the Hotchkiss Building is being restored. The Lyons Heritage Society did receive a permit from the NYS Canal Authority authorizing permission to do this. For information only.

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

RESOLVED that authorization is granted to close the following streets on Saturday, October 23, 2010, for Pumpkin Palooza: William Street between Pearl Street and Canal Street from 6:00 a.m. to 8:00 p.m., Pearl Street between William Street and Broad Street 12 noon until 5:30 p.m., Pearl Street between Broad Street and the top of Pearl Street from 1:00 p.m. until 4:00 p.m. (Butternut and Pearl Street Intersection closed for the Lyons Youth Ambassadors Pearl Street Pumpkin Race at 3:00 p.m. for approximately 5-10 minutes.) Church Street from William Street and Broad Street from 6:00 a.m. to 8:00 p.m., Canal Street from Route 14/Geneva Street to William Street from 6:00 a.m. until 8:00 p.m. Broad Street from just north of Church Street (Dr. Chotibut's office- leaving the County Court House parking available) to Pearl Street from 6:00 a.m. until 8:00 p.m. Costume Parade Closure: William Street (Elementary School) to Queen Street from William Street to Broad Street, Broad Street from Queen Street to Pearl Street, Pearl Street from Broad Street to Water Street) 4:45 p.m. until 5:30 p.m.

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

Mayor Kleisle announced notification was received from New York State Department of Health regarding the routine water samples taken. The total Trihalomethanes are running at an average of 0.085 mg/l, which exceeds the maximum contaminant level of 0.080 mg/l; therefore, the Village of Lyons is in violation of the New York State Sanitary Code. The reason for the violation is the hydrant on Phelps Street was not flushed properly. A notice will be published in the Shopping Guide advising the public of this. For information only.

Mayor Kleisle discussed the NYS Parks 2010 Recreational Grants/Trail. This is a 20% match of either cash or in-kind service or combination of both. This grant would allow the trail to be extended from the town line to downtown.

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

RESOLVED that authorization is granted for the application to be submitted for the NYS Parks 2010 Recreational Grants/Trail.

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

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

RESOLVED that authorization is granted for the application to be submitted for the Energy Grant through NYSEG for 75% upgrade cost to the Lyons Fire Department and the Village Hall.

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

Members of the Lyons Youth Ambassadors were in attendance to discuss Pumpkin Palooza. They requested Pearl Street to be closed at 3:00 p.m. on Saturday, October 23, 2010, for the Pumpkin Roll. They also requested the use of the front loader to drop the pumpkins. The eight Youth Ambassadors will run the event and all proceeds from this event will be decided by them where a donation will be made.

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

Trustee Evangelist stated notification was received that the Village of Lyons was awarded \$3,600 for the Selective Traffic Enforcement Programs (STEP) grant.

Trustee Evangelist reported the Lyons Community Center will be hosting a 5K race/walk on Saturday, October 23, 2010. They are requesting assistance from our local law enforcement with traffic and people control during the event.

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

RESOLVED that permission is granted for the Lyons Police Department to assist the Lyons Community Center with the 5K race/walk on Saturday, October 23, 2010, with traffic and people control during the event.

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

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

RESOLVED that permission is granted for the attendance of the members of the Zoning Board of Appeals and Planning Board Members to attend the Fall 2010 Local Government Workshops held on November 19, 2010, at the Genesee River Restaurant & Reception Center in Mount Morris. Registration costs paid by the Village.

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

Deputy Mayor Alvaro updated the Village Board on the Department of Public Works activities for the month.

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

RESOLVED that Michael Salerno, General Working Foreman, is authorized to attend the NYCOM's Public Works Training School October 18-20, in Lake Placid with all expenses to be paid by the Village of Lyons.

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

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

RESOLVED that Matthew Witt be hired as a part-time laborer to assist the Department of Public Works at an hourly rate of \$8.50.

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

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

RESOLVED that executive session be declared at 7:28 P.M. for the purpose of discussing employment history.

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

RESOLUTION offered Mr. VanStean, second by Mr. Evangelist

RESOLVED that meeting be moved out of executive session at 7:50 P.M.

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

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

RESOLVED that the meeting be adjourned.

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

Meeting adjourned at 7:50 P.M.

Karen DeSain, Deputy-Clerk-Treasurer