

A SPECIAL MEETING OF THE VILLAGE OF LYONS BOARD OF TRUSTEES HELD ON TUESDAY, SEPTEMBER 7, 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, Trustees  
Denise Darcangelis, Clerk-Treasurer  
Michael Salerno, General Working Foreman  
Michael Donalty, Police Chief  
Art Williams, Village Attorney (Left at 6:56 P.M.)

ABSENT: Terry VanStean, Trustee

This meeting was duly noticed to the Finger Lakes Times and Wayne County Star, with public notice posted on the Village Official Bulletin Board.

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

Mayor Kleisle introduced John Murtari, 34 Franklin Street. Mr. Murtari expressed his concern over Chief Donalty and his conduct to be Chief of Police. He reviewed the communication he presented to the Village Board. Mr. Murtari stated his matter began as a simple leash law violation that was not resolved properly. He feels Chief Donalty's contract should not continue. Mr. Murtari read the mission statement of the Lyons Police Department and stated those are glowing words to say, but feels there must be accountability.

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

RESOLVED that the report written by Mr. Murtari be referred to the Village Attorney for review with Chief Donalty; and the results of the findings from this review be reported back to the Village Board.

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

A request from James Murphy, Code Enforcement Officer, to remove the garage behind the residence at 35 Phelps Street was discussed. The roof on this building has collapsed and weakened the walls. To date, no action to demolish the garage has occurred after failing to obey orders to comply from Code Enforcement. Mr. Murphy asked the Village Board to act on Chapter 19-113.7 of the Lyons Municipal Code.

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

RESOLVED that authorization is granted to Art Williams, Village Attorney, to commence with the proceeding to undertake the repair or the demolition of the garage structure at 35 Phelps Street.

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

Notification was received the taxes are now current on the Nusbickel Building, 7 Broad Street.

Clerk Treasurer, Denise Darcangelis, reported the Lyons Youth Baseball and Softball have been charged sewer rents since the Village of Lyons started reading their water usage. They have a septic and should not be charged for sewer.

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

RESOLVED that the Lyons Youth Baseball and Softball be refunded \$438.91 for sewer charges paid in error.

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

Clerk Treasurer, Denise Darcangelis, advised the Board a school tax bill for the park property at Canalview has been received. This property was transferred after the taxable status of March 1, 2010.

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

RESOLVED that the budget be amended to pay the school taxes on the park property deeded to the Village from Canalview Apartments in the amount of \$396.83.

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

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

RESOLVED that Mayor Kleisle is authorized to execute the Load Reduction and Generation Agreement with New York State Electric and Gas for winter 2010-2011.

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

Mayor Kleisle advised the Village Board that notice has been received regarding the 2010 NYS CDBG Competitive Round Application. The application was not funded. This grant was to implement a village wide housing rehabilitation program to serve low and moderate income homeowners.

Mayor Kleisle announced the 2010 New York Main Street Program was awarded to the Village of Lyons in the amount of \$390,000 from the New York State Housing Trust Fund Corporation. This money will be used to help stimulate investment to expand affordable housing, provide job opportunities and create a sense of place to improve the quality of life for our communities.

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

RESOLVED that Mayor Kleisle is authorized to execute the contract with the New York State Housing Trust Fund Corporation for the 2010 New York Main Street Program awarded to the Village of Lyons pending the review and approval of Village Attorney, Art Williams.

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

Mayor Kleisle asked all Board members to come up with a list of names for the meeting on September 21<sup>st</sup> for a committee to facilitate the Lyons Downtown Revitalization II through the 2010 New York Main Street Program.

The Vehicle Retrofit Project grant application was sent to NYSERDA on August 24, 2010. For Information Only.

Mayor Kleisle and General Working Foreman, Michael Salerno, met with Christopher Maddock, owner of 180 Geneva Street. Mr. Maddock recently purchased the building and is in the process of making it a restaurant. The Department of Health is advising him he will need to install a larger septic tank or connect into the Village of Lyons sewer. Estimated cost to hook into the Village sewer system is \$30,000. This does not include engineering fees, or the pump. The state is estimating him to use 2,000 gallons a day. Mr. Maddock will be going back to the state to question the usage.

Mayor Kleisle informed the Board the Legislative has passed the 20 year retirement for Scott VanDuyne and John Flock. The state is requiring a commitment for the funding.

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

“BE IT RESOLVED that the governing board of the Village of Lyons, does hereby assume the additional cost required to provide the reopening of Section 384-d of the Retirement and Social Security Law, pursuant to Chapter 337 of the Laws of 2010.”

BE IT FURTHER RESOLVED that the Village of Lyons will appropriate the additional amount necessary to fund the past service cost related to this benefit in five payments, first payment due February 1, 2011.

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

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

RESOLVED that permission is granted for James Murphy, Code Enforcement Officer to attend a mandatory in service course regarding code updates on September 7, 2010, in Monroe County from 8 a.m. to 5 p.m. Mileage to be reimbursed.

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

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

RESOLVED that permission is granted for James Murphy, Code Enforcement Officer to attend the NYS Fire Marshall and Inspections Seminar at the NYS Fire Academy in Montour Falls, October 19-21. Mileage to be reimbursed.

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

Trustee Alvaro discussed the concrete work on the North Side of the Canal. The original plan was to black top a portion of the walkway. Nicoletta Building Contractors, Inc. quoted \$13,000 to concrete the extended walkway which will last longer than pavement and will look nicer.

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

RESOLVED that we use the \$6,000 budgeted for the walkway and an additional \$7,000 from street maintenance/paving to have Nicoletta Building Contractors, Inc. concrete the extended walkway on the North Side of the Canal to complete the project.

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

Mayor Kleisle reminded everyone that the ribbon cutting for the North/South Canal Improvements Project will take place September 17, 2010. The Flotilla will be here. There will be a celebration and Carmella R. Mantello, Director of NYS Canal Corporation, will be in attendance. She asked everyone to put this on their calendar. The time this will take place will be between 2-3 P.M.

Trustee Greco presented an application from the Lyons Fire Department for an Honorable Discharge for Justin Pentycufe. Mr. Pentycufe sent a letter of resignation due to the fact he has moved out of the fire district.

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

RESOLVED that the Village Board affirms the Honorable Discharge of Justin Pentycufe from the Lyons Fire Department.

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

Trustee Greco presented the Lyons Fire Department monthly reports for the month of July and August, 2010. On file for future reference.

Trustee Greco stated the block work has been completed at the firehouse and the 100' hydraulic reel that was purchased by Empire Merchants has been installed on the fire truck.

Trustee Greco extended a personal thank you to Mr. Robert Stopper and Mr. John McCranels for all of the work they have done on the Canal bank.

Mayor Kleisle discussed the Water/Sewer Rate Study. There are two focal points from this study, a meter program and leak detection. Mayor Kleisle and General Working Foreman, Michael Salerno, will be meeting with a lady from Seneca Falls that surveys leak detection.

Art Williams left at 6:56 P.M.

Mayor Kleisle stressed once again that we need to do something with rates and we need to do it now, not realizing the revenues will cause us to go further into deficit.

It was decided to have Mark Tayrien, from Stuart I. Brown Associates, to attend another Village Board meeting to discuss the water and sewer rate study he completed.

General Working Foreman, Michael Salerno, stated he received assistance from Wayne County Soil and Water Conservation. They assisted with the mowing and dug two drainage ditches, on Clyde Road, and north of baseball field off Manhattan Street. Their help was greatly appreciated.

General Working Foreman, Michael Salerno, reported he will be on vacation September 15-25.

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

RESOLVED that the meeting be adjourned.

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

Meeting adjourned at 7:19 P.M.