

A MEETING OF THE VILLAGE OF LYONS BOARD OF TRUSTEES HELD ON TUESDAY, AUGUST 2, 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
Denise Darcangelis, Clerk-Treasurer
Richard Bogan, Police Chief
Arthur Williams, Village Attorney

ABSENT: Michael Salerno, General Working Foreman

Also present: Val VanStean, Jerry Ashley, Dan LaGasse, and Sharon Lubitow

This meeting was duly noticed by contacting the Finger Lakes Times and posting a notice on the Village Bulletin Board.

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

Mayor Kleisle gave an update on a water break that took place today on Forgham Street. This has been one terrific cooperation from the Chief of Police who stood in the hot sun all day directing traffic. The village backhoe broke, and the Village of Newark brought theirs. Mayor Blandino of Newark was there, Cindy Stevens, from Steven Consultants was there to help find the water break. The Finger Lakes Water Works were there to assist. The Department of Public Works has been there since 5 A.M. and they deserve all kinds of credit from the Village Board and the people from Lyons for their dedication. Mayor Kleisle hopes this is one reason for our water loss.

Mayor Kleisle introduced Dorothy Barnes, Chairperson of Peppermint Days 2012. Ms. Barnes stated that she was not involved with Peppermint Days last year and would like to clear any muddy water. She was there to discuss anything of any importance and rectify any issues. She is not sure what went on last year and would like to answer any questions the Village Board may have.

Trustee Evangelist questioned if minutes will be taken at Peppermint Days meetings. Ms. Barnes stated minutes have always been taken when she was involved, they do have a secretary, Kim Kelley, who will be taking minutes this year.

Trustee Evangelist stated last year there was a problem with vendors. Some were allowed in Thursday to set up and sell and some were not. Some local businesses were not allowed in until the Village Board got involved, and then were told what they could not sell. Trustee Evangelist stated we need to be fair and equitable to everyone. Service organizations such as the Lyons Fire Department and the Rotary can be the exceptions. They give back to the community. We need to protect them, but anyone else they should be allowed to sell what they want.

Trustee VanStean commented we cannot exclude Lyons taxpayers from our Park and that is what we are doing. These are Lyons businesses and the Village of Lyons Park. The Village Board has a say, not to manage. The Village of Lyons give up their streets, park, we have the Department of Public works working before and after the festival. The Lyons Police Department works many hours during the festival. The Village of Lyons does have a say.

Trustee Evangelist stated the people who came to them this year already went to the Peppermint Days Committee prior with their concerns.

Ms. Barnes stated they do allow some to come in on Thursday. Some with the bigger trailers it is easier to get them set up. She was not aware of any selling on Thursday. She said local businesses were not told they could not be in the park; they needed to choose something else to vend. The Peppermint Days Committee suggested they sell something else. She feels we cannot make exceptions with the food.

Trustee Greco stated she feels the reason this is all in an uproar was because there was no communication. Trustee Greco stated let Peppermint Days run it and communicate with the Village of Lyons. Everything should run fine. She has joined the committee for 2012. She will be a working member. Next year, Peppermint Days will pay for the electric, make arrangements

to move the bandstand without the help of the DPW. They will provide a report once a month. All of this finger pointing, back biting, and secret meetings need to stop.

Mayor Kleisle stated she has heard many positive things. She has met with Sergei Bartishvich who will be co-chairing the committee. He agrees the committee needs to be more professional. By-Laws need to be established, incorporate, have the Peppermint Days Board run the organization, and apply for a 501 (c) (3).

Mayor Kleisle stated this is a joint venture. We cannot pull against each other we need to work together.

Ms. Barnes agrees the Peppermint Days Committee needs to be more formal. The Village Board designated a person assigned to Peppermint Days, that person should report back to the Village Board.

Mayor Kleisle commented on behalf of Trustee VanStean, that he felt ineffective and not a part of Peppermint Days. He is a working member of the committee. We are not micro-managing. This year we have had local complaints. We have a representative. We have a say. We have several hours from the Lyons Police Department, Department of Public Works, we donate money. The Village spends a lot of money on this festival and we need to have a representative.

Trustee VanStean stated if Trustee Greco is on the Peppermint Days Board she can represent the Village of Lyons. There is no need for two people from the Village Board to be on that committee. She can bring information back to the Village Board.

Trustee Evangelist, stated again, he does not want to go through this again next year.

Ms. Barnes questioned where she stood. The Village will have a Village representative as a committee member. They will be allowed to vote on issues. Ms. Barnes stated the meeting she runs everyone is heard, everyone speaks.

Mayor Kleisle commented if taxpayers come to us, we need to feel comfortable to come to the Peppermint Days Committee to discuss things. We are not here to micro-manage or be difficult. Communication is the key. We cannot have a few people get together to make decisions.

Ms. Barnes stated the organizational meeting will be held August 29th at 6:00 P.M. at the Lyons Community Center.

Ms. Barnes stressed they had 5 volunteers last year that pulled off Peppermint Days. They are worth gold to her. Everyone needs to work together to give Lyons a great way to look good.

Val VanStean stated she spoke with Robert Schick from Lyons National Bank. He suggested the Peppermint Days Committee ask Lyons vendors one month prior to asking anyone else. That way Lyons businesses were asked first for space and food selection. This could be one solution.

Trustee Alvaro stated the Peppermint Days has their board with our representative in place. Before coffee shop talk, take any issues to the Peppermint Days Board first to resolve. Work together. You can make anyone look bad on the street. Get everyone together to see what will work. He has been on the Village Board since 1999 and Peppermint Days has never been an issue with the Village Board.

A discussion took place regarding who should be the representative from the Village Board for Peppermint Days. Trustee VanStean stated the Chamber of Commerce meetings are on the same night. He can only attend ½ of the Peppermint Days meeting. If Joanne has volunteered to become a member of Peppermint Days, she could represent the Village.

Trustee VanStean will attend the Chamber of Commerce meetings and withdraw from attending the Peppermint Days meetings.

Mayor Kleisle appointed Trustee Greco as the Village of Lyons representative for Peppermint Days.

Mayor Kleisle thanked Ms. Barnes for coming to the meeting.

Village Attorney, Art Williams, informed the Village Board a demand letter went out to 7440 Route 31 West for a delinquent sewer bill. The property owner has until August 15, 2011, to pay or litigation will commence.

Village Attorney, Arthur Williams, stated he does not handle bonds. He gave the Clerk-Treasurer the information for a Bond Council that several municipalities use. This is for the Department of Public Works equipment.

Village Clerk, Denise Darcangelis, reported the Foil requests from Andrew DeWolf of 7 Sisson Street, to date, has taken 29 man-hours and 1,548 copies have been scanned. There is no reimbursement for this. For Information Only.

Taxes collected to date 87%. For information only.

Mayor Kleisle asked all Village Board members to review the information we received from MRB regarding the Village of Lyons Water Distribution System Control (SCADA). She asked Trustee VanStean to come back with his recommendations at the August 16, 2011, Village Board meeting.

Mayor Kleisle also asked the Village Board members to review the Village of Lyons Water Meter Replacement prepared by MRB Group. This will also be discussed at the August 16, 2011, Village Board meeting.

Mayor Kleisle stated notification was received by NYSDEC that the application is incomplete for the Lyons Water Supply System. The information they requested will be forwarded to them. For information only.

Mayor Kleisle discussed the New York State Conference of Mayors has a new NYCOM USA program. This no-risk "Utility Savings Audit" that provides a utility billing analysis to identify, correct and secure refunds for overcharges on telecommunication, electric and natural gas bills. This audit would be performed by Computel Consultants. When a refund is secured, you pay Computel.

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

RESOLVED that authorization is granted for Mayor Kleisle to sign the proposal for Computel Consultants to conduct a Utility Savings Audit for the Village of Lyons.

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

Jerry Ashley, Lyons Main Street Program Manager, wished to make the Village Board aware that the Main Street Harvest Festival is scheduled for October 22, with a rain date of October 29th. Use of park and street closing will be requested at a later date.

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

RESOLVED that authorization is granted to hire G.P. Smith Excavating, Inc. to assist the Department of Public Works with 5 water valve replacements within the Village Of Lyons under the direction of Michael Salerno, General Working Foreman, at a cost of \$2,000 each with the Village of Lyons supplying parts, and the replacement of one hydrant at a cost of \$2,000 including labor and equipment on Montezuma Street damaged by a motor vehicle accident. This will be paid from the contingency account of the water fund.

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

Mayor Kleisle reminded everyone the ribbon cutting for the West Water Street Bridge will take place August 4, 2011, at 10 A.M.

Mayor Kleisle read the Village Justice Report for July 2011. The number of cases reported to audit and control were 233, fines collected were \$17,181, and bail collected \$12,100. This is on file for future information.

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

RESOLVED that permission is granted for the Clerk-Treasurer and any members of the Village Board to attend NYCOM's Fall Training School in Saratoga Springs, New York, September 19-22 with expenses reimbursed by the Village of Lyons.

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

Mayor Kleisle presented Local Law 1-2011 and Local Law 2-2011. Said notice advising of proposed rate structure changes in water and sewer rents.

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

RESOLVED that Local Law 1-2011 amending Chapter 26, Article I, Section 26.13, Section 26.20 Table of Meter Rents, and Section 26.23 Protection of public water system at service connection, (per attached copy) be proposed and Public Hearing thereon be scheduled for Tuesday, September 6, 2011, at 6:00 P.M.

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

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

RESOLVED that Local Law 2-2011 amending Chapter 27, Article XII Sewer Rents, Section 27.1201 Sewer Rents (per attached copy) be proposed and Public Hearing thereon be scheduled for Tuesday, September 6, 2011, at 6:00 P.M.

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

Jerry Ashley, Lyons Main Street Program Manager, discussed the upcoming fundraisers. "Peppermint Pennies" is a new beautification project promotion from the Lyons Main Street Program which will allow people to donate pennies for flowers for the parks. The parks to be included are Taylor Park, Central Park, the Butterfly Park at the Lyons Community Center, and flowers along the Canal. Donation cans will be distributed throughout the community. A special account will be set up and all money donated for that year will be divided equally among these parks. This will be an ongoing fundraiser. The "Bandstand Bucks" is a simultaneous promotion wherein folding money may be deposited to rebuild/renovate/restore the Village Square Park Bandstand. Special heavy glass containers will be placed throughout the Village. One of the major benefits of these promotions is the allowance of residents and businesses to donate as they are able while keeping the expense of beautifying Lyons parks off the taxpayer.

Trustee VanStean stated the applications we had on file for the Motor Equipment Operator were reviewed by Mike Salerno, General Working Foreman. The one person they were considering has found another job. Mr. VanStean suggested we re-advertise for the vacancy for the Motor Equipment Operator. The Clerk-Treasurer will re-advertise for that position.

Trustee VanStean referred to a memo sent out July 21, 2011, by Mayor Kleisle announcing Michael Salerno has been placed in charge of all duties relating to the Lyons Water Treatment Plant. Trustee VanStean feels he should be compensated for this. Mayor Kleisle agreed. She will review the Teamster Contract and investigate to see what can be done.

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

RESOLVED that the Zoning Board, Planning Board, Village Board Members, and Code Enforcement, appointed by the Village of Lyons are authorized to attend the Fall 2011 Land Use Decision-Making Training Program training seminars offered by the Department of Planning and Development, Monroe County, NY held at the Monroe Community Hospital on various dates.

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

Trustee Evangelist read the Code Enforcement Report for the month of July 2011. This is on file with the Village Clerk.

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

RESOLVED that Sergeant Jeremiah Dresser is permanently promoted to the rank of Sergeant based on the Civil Service test results, effective immediately.

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

Trustee Alvaro reported the New York Main Street Committee will be meeting on August 9th at 6:00 P.M. at the Village Hall to review property applications. He also stated the Bradley application has been reworked and he will be replacing the windows at 34-44 William Street. The windows have been approved by the state.

Trustee Alvaro reviewed quotes from Dobbins Contracting to repair work to the Code Enforcement Office. The work needing to be done: replace steel door, replace entire wall where door and window is located due to frames rotting, remove existing stairway and replace with new stairway. It was determined to get quotes from other contractors.

Trustee Greco read the Lyons Fire Department Report for the month of July 2011. This is on file with the Village Clerk.

Trustee Greco announced that the Village of Newark Fire Department donated a boat to the Lyons Fire Department. Once all information received regarding this boat, we will be adding this to our insurance.

Notification received from Collins-Cassavino American Legion Post 227 that they have filed a renewal application notice form with the Division of Alcoholic Beverage Control for renewing their liquor license. For information only.

RESOLUTION offered by Mr. Evangelist, second Mr. Alvaro

RESOLVED that executive session be declared at 7:40 P.M. for the purpose of discussing employment history.

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

Chief Bogan was present

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

RESOLVED that meeting be moved out of executive session at 7:44 P.M.

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

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

RESOLVED that the Village of Lyons terminates part-time employment with Jeffrey Deichman effective immediately.

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

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

RESOLVED that the meeting be adjourned.

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

Meeting adjourned at 7:44 P.M.

Denise Darcangelis, Clerk-Treasurer