

REGULAR MEETING OF THE VILLAGE OF LYONS BOARD OF TRUSTEES HELD ON TUESDAY, SEPTEMBER 27, 2011, AT 6:00 P.M. AT THE VILLAGE HALL, 76 WILLIAM STREET, LYONS, NEW YORK.

PRESENT: Corrine Kleisle, Mayor
Dennis Alvaro, Deputy Mayor
Joanne Greco, Richard Evangelist, Terry VanStean, Trustees
Denise Darcangelis, Clerk-Treasurer
Richard Bogan, Police Chief
Michael Salerno, General Working Foreman

ABSENT: Art Williams, Village Attorney

Also Present: Dan LaGasse, James Wedman, John McCranels, Mr. and Mrs. Kallassy

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

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

RESOLVED that the minutes of the regular meeting held on August 16, 2011, bid opening August 31, 2011, and special meetings held on September 6, 2011, be approved as submitted.

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

RESOLUTION offered by Mayor Kleisle, second by Mr. Alvaro

RESOLVED that the minutes of September 15, 2011, be amended as follows: the water rates proposed in Local Law 3-2011, per attached, be adopted effective with the January 5, 2012 billing for water consumption for the period October 1, 2011 – January 1, 2012.

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

NAYE: Mr. VanStean

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

RESOLVED that the audit be approved as submitted. #221-#232 General, Water, and Sewer \$205,021.33, #233-#325 General, Water, and Sewer \$263,551.69, #326 Trust & Agency-Drug Forfeiture \$49.93, #327 Capital Account \$616.60, #328-#329 Capital Project WWSB \$349,742.23, #330-#331 Capital Project, NY Main Street \$35,517.95, #332 GIGP \$8,103.90.

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

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

Clerk-Treasurer, Denise Darcangelis, updated the public on the number of FOIL Requests received from Andrew DeWolf. Total to date, 1,573 pages have been scanned; 29.5 hours were spent on researching, collecting and reviewing the data.

Clerk Treasurer, Denise Darcangelis, reported to the Village Board the Annual Report was filed in the Office of the State Comptroller.

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

RESOLVED that authorization is granted for the Clerk-Treasurer to loan \$69,643.61, from the General fund to the Water Fund as a due to the General Fund, for expenses as directed by New York State Office of the State Comptroller.

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

Mayor Kleisle reported the New York State Retirement System announced the 2013 Pension Contribution rates. The estimated cost is expected to be \$129,409 for non-uniformed employees and \$153,784 for police and fire. For Information Only.

Mayor Kleisle stated correspondence was received from the New York State Canal Corporation, acknowledging the picnic held last month for the volunteers in the community and they congratulated us for holding this event.

Mayor Kleisle read a letter from New York State Department of Environmental Conservation regarding the permit they issued to the Village of Lyons for the replacement of the existing 3-span Water Street Bridge over Ganargua Creek. A field inspection found the work completed in accordance of the permit. For Information Only.

Barton & Loguidice notified the Village of Lyons that the work covered by Vector Construction Corp, for the West Water Street Bridge, was inspected by the project inspection staff and found to be completed in reasonable conformance with the contract plans and specifications.

Mayor Kleisle advised the Village Board they need to review the proposal for the Water Meter Procurement Project. This will be discussed at the October 4th workshop meeting.

Communication was received from New York State Electric and Gas Corporation requesting property access for a Remedial Investigation of the former manufactured gas plant site located at the corner of Water and Geneva Streets. Village Attorney, Arthur Williams, has reviewed the Access Agreement.

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

RESOLVED that Mayor Kleisle is authorized to sign an Access Agreement for New York State Electric and Gas Corporation to do Remedial Investigation work on Village Property located in the Village of Lyons.

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

RESOLUTION offered by Mr. Evangelist, second Ms. Greco

RESOLVED that Michael Salerno, General Working Foreman, is authorized to attend the NYCOM's Public Works Training School October 24-26, in Saratoga Springs with all expenses to be paid by the Village of Lyons.

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

Mayor Kleisle stated the Village of Lyons was awarded \$89,520 Office of Parks and Recreation and Historic Preservation Grant. Currently applications are being accepted for a Canalway Matching Grant Program. Mayor Kleisle stated she has confirmed that we can use the \$89,520 as our 50% contribution if we make application for the Canalway Matching Grant Program. This money would be used for the Canal Trail in the Village. The deadline for the Canalway Matching Grant Program is October 31, 2011.

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

RESOLVED that authorization is granted for the application to be submitted for the Canalway Matching Grant Program.

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

Mayor Kleisle stated results from the Lyons Wastewater Treatment Plant Annual Inspection were received from the New York State Department of Environmental Conservation. Based on observations made during the inspection, the New York State Department of Environmental Conservation has found our facility to be in significant compliance with the requirements and limitations as set forth in the State Pollutant Discharge Elimination System (SPDES) Permit. They did find 3 items that need to be addressed as soon as possible. The Village needs to develop a plan and begin addressing inflow and infiltration (I/I) within the collection system. The sewers need maintenance, such as flushing, on a routine basis. The Town needs to evaluate and modify its Sewer Use Ordinance such that the mercury limits better correspond to the Technical and Operation Guidance Series for Mercury, TOGS 1.3.10, issued in October 2010. Mayor Kleisle asked the Village Board for ideas. A written response is due to the New York State Department of Environmental Conservation on October 15, 2011.

A discussion took place regarding the donation from Empire Merchants. Clerk-Treasurer, Denise Darcangelis, suggested looking into an automotive phone messaging system, similar to what the school has. We could alert people street by street if they are affected by a water

break, if their water will be turned off for repairs, and if hydrant flushing is taking place in the area etc. All Board members felt this was a good idea and asked her to get more information on this.

Mayor Kleisle announced the 2011 Justice Court Assistance Program (JCAP) Grant deadline has been extended. The maximum JCAP award is \$30,000 per court.

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

RESOLVED that authorization is granted to submit application for the 2011 Justice Court Assistance Program (JCAP) Grant.

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

Mayor Kleisle mentioned the New York Main Street Grant that was awarded to the Village of Lyons includes \$15,000 for streetscape improvements in the commercial historical target area. Mayor Kleisle is currently working with a third person to increase the funding for the streetscape improvements.

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

RESOLVED that the Village of Lyons commits \$15,000 for streetscape improvements through workforce accounts pending a commitment from the third party.

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

Mayor Kleisle reviewed the water that we are purchasing from Wayne County Water and Sewer Authority. The total purchased has finally settled down. It appears the valve replacements and fixing the water breaks have helped in the reduction of water purchased.

Mayor Kleisle thanked Trustee Evangelist for attending the Cable Vision meetings.

Trustee VanStean gave an update on the Welcome to Lyons signage. The locations where the signs will be placed will be marked, and then the New York State Department of Transportation will approve the spots. The signs will be installed after NYSDOT approves the area.

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

Trustee Evangelist commended the Lyons Police Department for the recent burglary cases solved in the Village.

Police Chief, Richard Bogan, requested the Village Board to consider a change to the parking regulations on William Street in front of the Elementary School. He advised the school intends to implement the use of the new school bus loading location in the rear of the school. This area must be accessed from William Street. He is requesting the Village Attorney to draft a Local Law to designate the area in front of the Elementary School as no parking between the hours of 7 A.M. and 8 A.M. and 2 P.M. and 3 P.M. Trustee VanStean recommended he move forward and direct the Village Attorney, Arthur Williams to draft a Local Law.

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

RESOLVED that permission is granted for the attendance of the Code Enforcement Officer and members of the Zoning Board of Appeals and Planning Board Members to attend the Fall 2011 Local Government Workshops held on November 17, 2011, at the Clarion Hotel in Batavia. Registration costs paid by the Village.

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

Trustee Evangelist reported he is still working on a Workman's Comp rate. He should have this by the October 4th meeting.

The Village Board acknowledged Sergeant Dresser passed his course in study of Police Supervision.

Trustee VanStean thanked Chief Bogan for working with NYSEG on the number of street lights out in the Village and the response time we have been experiencing.

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

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

RESOLVED that executive session be declared at 6:54 P.M. for the purpose of discussing employment history within the Lyons Police Department.

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

Police Chief, Richard Bogan, was present

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

RESOLVED that meeting be moved out of executive session at 7:06 P.M.

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

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

Deputy Mayor Alvaro updated the Village Board on the New York Main Street Grant.

Mayor Kleisle stated she spoke with Mark Chadwick, Waste Water Treatment Plant Operator, regarding the blowers and the yard lights that were declared surplus. Mr. Chadwick feels we would get as much money if we scrapped those items. Trustee VanStean will go down to the plant and look the items over to determine if we should declare them as scrap.

Town Councilman, Dan LaGasse, suggested a joint meeting with the Zoning Boards of Appeals, and the Joint Planning Board to review the requirements and the commitments to be on those boards and to recognize them as they do volunteer and let them know we support them. The Village Board agreed this is a good idea. Town Councilman LaGasse will set something up.

Chief Bogan also commended Officer Mastracy for his recent arrest of an individual with criminal possession of a controlled substance.

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

RESOLVED that executive session be declared at 7:29 P.M. for the purpose of discussing employment history.

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

Police Chief, Richard 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. VanStean, second by Mr. Alvaro

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

