

REGULAR MEETING OF THE VILLAGE OF LYONS BOARD OF TRUSTEES HELD ON TUESDAY, MARCH 16, 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 (Left at 6:44 P.M.)
Denise Darcangelis, Clerk-Treasurer
Michael Salerno, General Working Foreman
Arthur Williams, Village Attorney (Arrived at 6:11 P.M. Left at 6:55 P.M.)

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

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

RESOLVED that the minutes of the regular meeting held on February 16, 2010, and on March 2, 2010, budget meetings held on February 20, 2010, and March 6, 2010, be approved as submitted.

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

Mayor Kleisle introduced, Janelle Muir Horton, 32 High Street. Ms. Horton discussed the terrible road and sidewalk conditions on High Street. She stated the Department of Public Works did patch the potholes; however, she would like to see the entire street paved. She feels High Street should not be neglected. She is also concerned with the parking on that street. She stated people have no consideration for parking on that street. She would like to see the parking eliminated and the street made into a one-way street. Mayor Kleisle explained to her the Village is strapped financially because paving money is going toward the West Water Street Bridge. No decision has been made as to what streets will be paved this year. Mayor Kleisle recommended to her to petition the residents on the street regarding the parking and making High Street a one-way street. By getting a petition, this will tell the Village Board what the people want done with High Street. Trustee Greco agreed she would like letters from the residents on the street to get their feelings on the issues she presented.

Chief Donalty read the Lyons Police Department report for the month of February. On file, for future information.

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

RESOLVED that Officer Dresser is granted permission to attend the Motorcycle Traffic Enforcement Seminar in Syracuse, March 30, 2010, 10 A.M. to noon. No tuition, no overtime.

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

Chief Donalty informed the Village Board 6 Rice Street has been cited for public nuisance violation on February 16, 2010, and has failed to abate the nuisance, as calls for service continue.

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

RESOLVED that Village Attorney, Arthur Williams, is authorized to commence official notice of hearing to, Gary Hawman, property owner of 6 Rice Street, requesting his presence at the April 20, 2010, Village Board meeting at 6:30 P.M. to discuss the number of violations this property has been cited.

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

Trustee Evangelist reported, Denise Eaton, Parking Enforcement Officer, will be out of work effective March 18, 2010, for approximately three weeks due to surgery. For information only.

Mayor Kleisle discussed the number of residents parking between the sidewalk and the curb. She would like an advertisement in the Shopping Guide explaining, effective April 1, 2010, the Village of Lyons will be enforcing no parking between the sidewalk and the curb. Courtesy tickets will be issued for the first offense then regular tickets will be issued thereafter. Chief Donalty requested a listing of those residents that currently have permits and those that were denied.

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

RESOLVED that permission is granted for the Clerk-Treasurer to put a notice in the Shopping Guide stating effective April 1, 2010, the Village of Lyons will be enforcing no parking between the sidewalk and the curb. Courtesy tickets will be issued for the first offense then regular tickets will be issued thereafter.

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

Village Attorney, Arthur Williams discussed the status of the road dedication for Canalview. He has reviewed all paperwork and recommends accepting title to Canalview Drive.

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

RESOLVED that the Village of Lyons accepts title to Canalview Drive as presented by Village Attorney, Arthur Williams.

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

Village Attorney, Arthur Williams, stated he had communication from Daniel M. Wyner, Wayne County Attorney, regarding deeding Prospect Street between the County of Wayne and the property owner of 25 Butternut Street. Mr. Wyner suggested the Village of Lyons deed Prospect Street to the County of Wayne and have Wayne County work out the parking with the property owner at 25 Butternut Street. The Village Board asked Village Attorney, Arthur Williams, to convey to Mr. Wyner, they would consider this as long as the County of Wayne accommodates the adjacent property owner.

Chief Donalty left at 6:44 P.M.

The audit was presented. Clerk-Treasurer, Denise Darcangelis, advised the Village Board there has been a correction to the Lyons Central School bill. Trustee Evangelist questioned the amount of the A-Verdi bill for sludge removal. He and Trustee VanStean requested computer print outs of the A-Verdi bills and the City of Canandaigua bills for sludge removal and processing.

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

RESOLVED that the audit be approved as submitted. #820-#828 General, Water and Sewer Fund \$176,408.65; #829-#901 General, Water and Sewer Fund \$127,989.16, #902 Capital Project West Water Street Bridge \$1,376.41, #903-#907 Capital Reserve Account-Water Tank \$3,041.72, #908 Capital Project-PON 4 Energy Conservation Study \$4,500.00, #909 Capital Project CDBGR \$7,020.72, #910-#911 Trust & Agency-Drug Forfeiture \$476.19, #912-#913 Capital Project GIGP \$3,918.32.

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

The Treasurer's report was given and a request that the overdrawn funds be brought into balance.

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

RESOLVED that the accounts that are overdrawn be balanced in the general, water, and sewer funds. (Per attached sheet)

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

Quotes received from trash haulers regarding the removal of trash from the village barrels and the trash from the village hall and the fire department.

RESOLUTION offered by Mr. Alvaro second by Mr. VanStean

RESOLVED that upon receipt of the quotes for trash removal, K & D Disposal be hired effective June 1, 2010, for the removal of trash from the village hall, fire department and the village barrels (twice a week) for the amount of \$353.00 monthly.

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

Clerk-Treasurer, Denise Darcangelis, read a request from the Class of 2010 to hold a car wash on May 15, 2010, across the street from the Fire House as a fund raiser for their senior class lock in.

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

RESOLVED that permission is granted to authorize a car wash on May 15, 2010, across the street from the Fire House metering the water used and billing the Class of 2010 for the usage.

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

Village Attorney, Arthur Williams, left at 6:55 P.M.

The Clerk-Treasurer discussed the quote received from Dave Burnham for the mowing of abandoned properties or un-mowed properties in the Village of Lyons for the 2010 season. All insurance paperwork has been received.

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

RESOLVED that the quote received from Dave Burnham, 14 Franklin Street, in the amount of \$40.00 per hour for the mowing of abandoned properties or un-mowed properties in the Village under the direction of the Lyons Code Enforcement Officer for the 2010 season be accepted. He will itemize the bills for the properties instructed to mow and submit the bills to the Village Office once the property is mowed.

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

Mayor Kleisle reported the Village Justice has been awarded a Justice Court Grant Award in the amount of \$7,683.88 for safety features for the courtroom.

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

RESOLVED that the 09-10 budget be amended for \$7,683.88 in the Municipal Court Equipment line for a Justice Court Grant Award in the amount of \$7,683.88.

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

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

RESOLVED that permission is granted for the Clerk-Treasurer to attend "Your Role as Records Management Officer" on Thursday, May 6, 2010, in Palmyra from 9 A.M. to 1 P.M.

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

The Clerk-Treasurer stated she was notified by New York State Electric and Gas that they would like to eliminate the paper checks we receive from the cash back program from the Load Reductions and Generation Agreement. They are offering electronic transfers or a credit to our NYSEG bill.

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

RESOLVED that the Village of Lyons will accept the cash back program from the Load Reductions and Generation Agreement in the form of an electronic transfer.

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

7:00 P.M. Mayor Kleisle introduced Stephanie Knarr, from the Lyons Chamber of Commerce and Dan LaGasse from the Lyons Main Street Committee. They discussed a project to build and install Wayfinding Totem Signs at various locations in the Village of Lyons. The top priority is to have Wayfinding signage on at least one bank of the Erie Canal for the 2010 boating season. Signs would have multiple individual signs, each with its own arrow pointing to a specific business or cultural point of interest in the Village of Lyons, but all attached to a single post. A "Tough Pocket" all-weather brochure holder would also be installed on the central post. They presented a sample for the board to see. At this point they asked the Village Board for their blessing to continue on with this project. The Village Board agreed for them to move forward.

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

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

RESOLVED that Mayor Kleisle is authorized to submit a grant application for \$1,000.00 to the Erie Canalway National Heritage Corridor for the 2010 Erie Canalway Event and Festival Sponsorship on behalf of Peppermint Days.

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

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

RESOLVED that authorization is granted for Catherine A. Tingue dba Advanced Occupational Services, to assume the performance services for the drug and alcohol testing for the Village of Lyons.

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

Discussion took place for the 2010-2011 budget. It was determined to have a budget workshop on Thursday, March 18, 2010, at 6:00 P.M. with Michael Salerno, General Working Foreman, in attendance and present the tentative budget on March 23, 2010, at 6:00 P.M.

Mayor Kleisle read a letter from Patty Alena thanking the Village of Lyons for the support and effort in taking responsibility and saving of the Hotchkiss building. On file with the Village Clerk.

Communication was received from John and Phyllis Leonard, 105 Catherine Street. They are concerned with a tree that is between the sidewalk and the curb. The tree has caused their sidewalk to rise 3 to 4 inches, and the acorns that fall on the sidewalk and driveway make dangerous walking conditions. The Village Board instructed Michael Salerno, General Working Foreman, to take a look at the tree and report back to the Village Board.

Mayor Kleisle advised the board the New York State Canal Corporation will be offering a bi-annual matching grant program to supplement their promotional campaign. The goal is to increase regional tourism and recreational use along the Canal.

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

RESOLVED that the Village of Lyons will act as a Lead Agency for the 2010 Canal Corporation Matching Grants Program.

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

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

RESOLVED that permission is granted for the attendance by the Planning Board, Zoning Board, Code Enforcement Officer, and the Village Board to the Spring 2010 Regional Local Government Workshop to be held Friday, May 14, 2010, at the Burgundy Basin Inn, in Pittsford, New York.

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

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

RESOLVED that Richard Wunder, Dave DeWolf, Mark Chadwick, Tom Gowan, and Michael Salerno be authorized to attend the Finger Lake Water Works Conference spring meeting to be held Thursday, April 1, 2010, in Watkins Glen, New York, providing no overtime is incurred by allowing attendance to this. All expenses to be borne by the Village of Lyons.

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

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

RESOLVED that Michael Salerno and Richard Wunder be authorized to attend the third annual EJ Prescott Coastal Erosion Control Workshop in Cortland on March 23, 2010. \$50.00 cost per person to be borne by the Village of Lyons.

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

Trustee VanStean discussed the proposed wind turbines to be placed in Lake Ontario. Trustee VanStean feels we have enough sites to place the turbines without putting them in Lake Ontario. He request the following resolution be sent to the NYPA (New York Power Authority) and the Governor of NY.

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

BE RESOLVED THAT:

As avid supporters of wind power, we believe we have an absolute responsibility to site wind turbines properly.

We believe that off shore in the Great Lakes is NOT a viable option for wind turbines at this time.

The reasons we oppose siting wind turbines in the Great Lakes (Lake Ontario):

- 1) The cost is double what it is to build these inland.
- 2) The winds are too powerful probably 30% - 40 % of the time and they will have to be shut down for these times.
- 3) Maintenance is impossible (extremely dangerous at best) in the winter months.
- 4) This will damage one of **our** main local industries, tourism, on several levels (aesthetics, recreational and commercial boating/fishing).

5) Citizens who are already paying lake shore property taxes will have their view shed impacted and have no say whatsoever. (Go to Kingston, Ontario and look out at Wolfe Island to get a sense of the impact to our scenic vistas. These can be seen on the horizon from Clayton NY, changing a sunset view that people have paid dearly to obtain).

6) Placing turbines in the lake eliminates any benefit (taxes, pilots, energy, etc.) that the communities along the lake shore would receive. Also we would lose any compensation to landowners.

7) We, the people of NY, will not get cheaper electricity as a result of this project - the cost is too high. If anything, this will cause some of the highest rates in the country to increase.

8) We (taxpayers) will also, per the governor's statements, pay to install the transmission facilities for this expensive electricity once it reaches the shore, a cost of billions to put the infrastructure in place.

Where is the benefit to us? Leave our Great Lakes alone.

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

Trustee Evangelist discussed pending Code Enforcement issues. He stated 24 Broad Street has been sold and the plywood on the windows should be taken care of soon. 2 Montezuma Street, Jim Murphy, Code Enforcement Officer, is working on having the plywood removed from the windows and the window repaired. The dumpster at Broad Street and William Street has been removed and replaced with totes. The Family Restaurant on Canal Street has moved the dumpster from the sidewalk to the side of the building.

Trustee Evangelist stated he would also like to see the Code Enforcement fines and fees increased. This is a project he will work on.

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

RESOLVED that James Murphy, Code Enforcement Officer, is authorized to attend Comcheck Program on May 11, 2010, in Onondaga County from 9:00 A.M. to 12:00 P.M. and the Fire and Structural Safety for Public & Private Schools in Ontario County on June 16, 2010 from 9 A.M. to 4 P.M. No cost for seminar, use of vehicle is permitted.

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

Trustee Alvaro, presented the monthly DPW report and placed on file for future information.

A discussion took place regarding the opening of the Cole Road Pit for Village residents. It was decided to open Saturday, April 17, 2010, from 9:00 A.M. to 1:00 P.M. Thereafter, the pit will open the 1st and 3rd Saturday of each month from 9:00 to 1:00 P.M. The Clerk-Treasurer was authorized to put a notice in the paper.

Trustee Greco commented the flower pots have been taken to Macedon to be filled with plants.

Trustee Greco mentioned the Seventh Annual Canalway Trail Celebration would be held on Saturday, June 5, 2010.

Trustee Greco welcomed Jamko to Lyons. She stated she enjoyed the open house and the presentation was nice.

Mayor Kleisle also wished Jamko well.

RESOLUTION offered by Evangelist, second by Ms. Greco

RESOLVED that the meeting be adjourned.

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

Meeting adjourned at 8:17 P.M.

Denise Darcangelis, Clerk-Treasurer

