

REGULAR MEETING OF THE VILLAGE OF LYONS BOARD OF TRUSTEES HELD ON TUESDAY, JUNE 15, 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 7:05 P.M., RETURNED AT 7:22 P.M.)  
                  DENISE DARCANGELIS, CLERK-TREASURER  
                  MICHAEL SALERNO, GENERAL WORKING FOREMAN  
                  ARTHUR WILLIAMS, VILLAGE ATTORNEY, (LEFT AT 7:05 P.M.)

MAYOR KLEISLE WELCOMED EVERYONE PRESENT AND ALL STOOD FOR THE PLEDGE TO THE FLAG.

RESOLUTION OFFERED BY MR. ALVARO, SECOND BY Ms. GRECO

RESOLVED THAT THE MINUTES OF THE REGULAR MEETING HELD ON MAY 18, 2010, AND THE MEETING HELD ON JUNE 1, 2010, BE APPROVED AS SUBMITTED.

AYES: MR. ALVARO, MR. EVANGELIST, Ms. GRECO, MR. VANSTEAN

RESOLUTION OFFERED BY Ms. GRECO, SECOND BY MR. ALVARO

RESOLVED THAT THE AUDIT BE APPROVED AS FOLLOWS: #1092-#1101 GENERAL, WATER AND SEWER FUND \$112,690.33, #1102-#1152 GENERAL, WATER AND SEWER FUND \$99,725.96, #1-GENERAL, WATER AND SEWER FUND \$52,752.67, #2-#26 GENERAL, WATER AND SEWER FUND \$39,231.21, #27-#31 CAPITAL RESERVE ACCOUNT-WATER TANK PROJECT \$634.83, #32 TRUST & AGENCY-DRUG FORFEITURE \$80.90, #33 CDBG-R \$4,385.22, #34-#37 GIGP \$26,617.80, #38 CAPITAL ACCOUNT-PON 4 \$6,000.00, #39-#40 CAPITAL PROJECT-CANAL \$23,930.55.

AYES: MR. ALVARO, MR. EVANGELIST, Ms. GRECO, MR. VANSTEAN

VILLAGE ATTORNEY, ARTHUR WILLIAMS, STATED THE SIDEWALK FOR STEVE CORCORAN WILL BE SCHEDULED WHEN THE VILLAGE OF LYONS INSTALLS HANDICAP ACCESS TO THE SIDEWALK ON BOTH SIDES OF NORTH JOY STREET TO MAKE THEM ADA COMPLIANT.

VILLAGE ATTORNEY, ARTHUR WILLIAMS, PRESENTED THE QUITCLAIM DEED BETWEEN THE VILLAGE OF LYONS AND CANALVIEW APARTMENTS. THIS IS FOR THE SMALL PARK AND THE ROADWAY. THE STREET LIGHTS FOR CANALVIEW DRIVE CAN NOW BE TURNED ON.

THE TREASURER'S REPORT WAS PRESENTED AND WILL BE PLACED ON FILE.

CLERK-TREASURER, DENISE DARCANGELIS, ADVISED THE VILLAGE BOARD THE TAXES COLLECTED YEAR TO DATE.

QUOTES WENT OUT TO CONTRACTORS FOR TREES WITHIN THE VILLAGE TO BE TRIMMED, REMOVED AND STUMP GRINDING BASED ON A LIST MICHAEL SALERNO, GENERAL WORKING FOREMAN, SUBMITTED. TWO QUOTES WERE RECEIVED, ONE FROM EMPIRE TREE SURGEONS TOTALING \$12,000 AND ONE FROM TERRY TREE SERVICE, LLC TOTALING \$23,590. THESE QUOTES INCLUDED REMOVAL OF A TREE AT 28 LAYTON STREET. MAYOR KLEISLE PRESENTED A LETTER FROM MR. AND MRS. FILIPPELLO, 28 LAYTON STREET, REQUESTING THE TREE ON HIS PROPERTY BE TRIMMED AND NOT REMOVED. DISCUSSION TOOK PLACE. IT WAS DETERMINED THE TREE AT 28 LAYTON STREET BE REMOVED. MAYOR KLEISLE WILL SEND A LETTER TO THE FILIPPELLO'S INFORMING THEM OF THE BOARD'S DECISION.

RESOLUTION OFFERED BY MR. ALVARO, SECOND BY MR. EVANGELIST

RESOLVED THAT THE QUOTE BE AWARDED TO THE LOWEST BIDDER, EMPIRE TREE SURGEONS, IN THE AMOUNT OF \$12,000.

AYES: MR. ALVARO, MR. EVANGELIST, Ms. GRECO, MR. VANSTEAN

CLERK-TREASURER, DENISE DARCANGELIS, ADVISED THE VILLAGE BOARD A \$1,500 DONATION WAS RECEIVED FROM THE ROBERT G. BOEHLER FOUNDATION TO BE USED TOWARD THE SUMMER BAND CONCERTS. FOR INFORMATION ONLY.

THE VILLAGE JUSTICE REPORT FOR MAY 2010 HAS BEEN RECEIVED AND PLACED ON FILE FOR FUTURE INFORMATION.

MAYOR KLEISLE INFORMED THE VILLAGE BOARD THE REQUEST FOR PROPOSALS FOR SHARED SERVICES FUNCTIONAL CONSOLIDATION PLANNING STUDY WERE OPENED AND HAVE BEEN REFERRED TO A COMMITTEE OF SHARED SERVICES FOR REVIEW AND RECOMMENDATIONS. THEIR FINDINGS WILL BE PRESENTED AT A LATER DATE.

MAYOR KLEISLE DISCUSSED CHANGE ORDER NO. 1 WITH F.W. CONSTRUCTION FOR THE WASTEWATER GREEN IMPROVEMENTS PROJECT. THIS CHANGE ORDER IS TO REVISE THE GREEN ROOF PANELS. THE REASON FOR THE CHANGE ORDER IS THE ANALYSIS OF THE PRECAST CONCRETE PLANKS FOR LOAD CAPACITY ALLOWS FOR ADDITIONAL LOADING WITH THE REMOVAL OF THE STONE BALLAST FROM THE AREAS SPECIFIED RECEIVING THE GREEN ROOF. THERE IS NO DOLLAR VALUE CHANGE TO THE INITIAL CONTRACT AMOUNT DUE TO THIS CHANGE ORDER.

RESOLUTION OFFERED BY MR. VANSTEAN, SECOND BY MS. GRECO

RESOLVED THAT MAYOR KLEISLE IS AUTHORIZED TO SIGN CHANGE ORDER NO. 1 WITH F.W. CONSTRUCTION FOR THE WASTEWATER GREEN IMPROVEMENTS PROJECT.

AYES: MR. ALVARO, MR. EVANGELIST, MS. GRECO, MR. VANSTEAN

MAYOR KLEISLE REPORTED THE WEST WATER STREET BRIDGE BIDS WILL BE DUE JULY 8, 2010 AT 10:00 A.M. FOR INFORMATION ONLY.

MAYOR KLEISLE STATED A MEETING TOOK PLACE WITH LARSEN ENGINEERS IN REGARDS TO THE COST OVERRUNS ON THE NORTH/SOUTH CANAL PROJECT. MR. RAM SHRIVASTAVA, PRESIDENT, LARSEN ENGINEERS, WILL WORK WITH MAYOR KLEISLE TO REVIEW THE FINANCIALS AND MAKE SOME AMENDMENTS TO THE VILLAGE OF LYONS.

TRUSTEE VANSTEAN STATED HE HAS HAD CONVERSATIONS ABOUT WATER SOFTENERS AND HOW TO CLEAN THEM WITH THE WATER COMMISSIONER FROM SKANEATELES. SOFTENERS SHOULD BE CLEANED AT MINIMUM ONCE A YEAR. HE WAS ADVISED THE SOFTENERS CAN BE REHABILITATED FOR APPROXIMATELY \$3,000 PER SOFTENER. HE WILL CONTINUE HIS RESEARCH ON THIS.

TRUSTEE VANSTEAN REPORTED HE HAS CONTINUED HIS WORK ON SLUDGE REMOVAL. HE HAD MEETINGS WITH MR. RAM SHRIVASTAVA, PRESIDENT, LARSEN ENGINEERS, AND SHARON LILLA, DIRECTOR, WAYNE COUNTY PLANNING DEPARTMENT. DURING DISCUSSIONS WITH THEM, HE HAS FOUND SOME COMMUNITIES IN THE AREA ARE TREATING THEIR SLUDGE ON SITE. HE PLANS ON VISITING OTHER MUNICIPALITIES TO SEE HOW THEY ARE PROCESSING THEIR SLUDGE. HE ALSO STATED THE CURRENT UNIT THE SEWER PLANT IS USING HAS THE ABILITY TO ADD A DRYER TO PROCESS THE SLUDGE OURSELVES. HE WILL REPORT BACK ON HIS FINDINGS.

TRUSTEE EVANGELIST READ THE LYONS POLICE DEPARTMENT REPORT FOR THE MONTH OF MAY. ON FILE FOR FUTURE INFORMATION.

RESOLUTION OFFERED BY MR. EVANGELIST, SECOND BY MR. VANSTEAN

RESOLVED THAT AUTHORIZATION IS GRANTED FOR CHIEF DONALTY TO ATTEND THE NEW YORK STATE ASSOCIATION OF CHIEFS OF POLICE 2010 ANNUAL TRAINING CONFERENCE IN FAIRPORT, JULY 19, 2010 THRU JULY 21, 2010. \$150 REGISTRATION FEE WILL BE PAID BY THE VILLAGE OF LYONS

AYES: MR. ALVARO, MR. EVANGELIST, MS. GRECO, MR. VANSTEAN

TRUSTEE EVANGELIST READ A LETTER FROM LINDA SCHAFER, A RESIDENT ON CULVER STREET. SHE IS CONCERNED WITH THE PARKING ON BOTH SIDES OF CULVER STREET. HER LETTER STATED THAT THERE HAS BEEN A TIME WHEN A GARBAGE TRUCK HAS NOT BEEN ABLE TO GET DOWN THE STREET AND HAD TO HONK ITS HORN TO GET VEHICLES TO MOVE. TRUSTEE VANSTEAN STATED HE DID HAVE A CONVERSATION WITH HER AND ADVISED THIS HAS TO BE DONE THROUGH A LOCAL LAW AND A PETITION MUST BE SIGNED BY THE PEOPLE LIVING ON THAT STREET. CHIEF DONALTY STATED HE IS NOT AWARE OF ANY PARKING ISSUES ON THAT STREET. IT WAS ALSO MENTIONED THAT THIS HAS ONLY OCCURRED SINCE PARKING BETWEEN THE SIDEWALK AND THE CURB HAS NOT BEEN ALLOWED. TRUSTEE EVANGELIST WILL CONTACT THE PROPERTY OWNER DENIED A PARKING PERMIT TO PARK BETWEEN THE SIDEWALK AND CURB, TO MAKE DIFFERENT PARKING ARRANGEMENTS.

RESOLUTION OFFERED BY MR. VANSTEAN, SECOND BY MR. EVANGELIST

RESOLVED THAT EXECUTIVE SESSION BE DECLARED AT 6:50 P.M. FOR THE PURPOSE OF DISCUSSING EMPLOYMENT HISTORY WITHIN THE LYONS POLICE DEPARTMENT.

AYES: MR. ALVARO, MR. EVANGELIST, MS. GRECO, MR. VANSTEAN

CHIEF MICHAEL DONALTY WAS PRESENT.

RESOLUTION OFFERED MR. VANSTEAN, SECOND BY MR. EVANGELIST

RESOLVED THAT MEETING BE MOVED OUT OF EXECUTIVE SESSION AT 7:05 P.M.

AYES: MR. ALVARO, MR. EVANGELIST, Ms. GRECO, MR. VANSTEAN

RESOLUTION OFFERED BY MR. EVANGELIST, SECOND BY MR. VANSTEAN

RESOLVED THAT AUTHORIZATION IS GRANTED TO EXTEND PETER J. MASTRACY'S EMPLOYMENT AS A PATROLMAN FOR AN ADDITIONAL 30 DAYS, THROUGH JULY 17, 2010. THE 30 DAY EXTENSION IS SUBJECT TO THE SAME CONDITIONS RELATIVE TO WAIVER DATED APRIL 22, 2010.

AYES: MR. ALVARO, MR. EVANGELIST, Ms. GRECO, MR. VANSTEAN

RESOLUTION OFFERED BY MR. EVANGELIST, SECOND BY MR. VANSTEAN

RESOLVED THAT MAYOR KLEISLE IS AUTHORIZED TO MAKE A BUDGET AMENDMENT FROM THE INSURANCE REIMBURSEMENT TO COVER APPROXIMATELY \$5,742 FOR THE EXTENSION OF PETER J. MASTRACY'S EMPLOYMENT.

AYES: MR. ALVARO, MR. EVANGELIST, Ms. GRECO, MR. VANSTEAN

CHIEF DONALTY WAS EXCUSED AT 7:05 P.M.

VILLAGE ATTORNEY, ARTHUR WILLIAMS LEFT AT 7:05 P.M.

TRUSTEE EVANGELIST PRESENTED A LANDLORD'S REPORT. THIS WILL BE USED TO CALCULATE NUISANCE POINTS ACCUMULATED THROUGH THE LYONS POLICE DEPARTMENT AND THE CODE ENFORCEMENT DEPARTMENT AND WILL BE AVAILABLE SO ALL BOARD MEMBERS WILL SEE THE TOTAL NUMBER OF POINTS AGAINST A PROPERTY. THIS REPORT WILL TAKE EFFECT JULY 1<sup>ST</sup>.

RESOLUTION OFFERED BY MR. EVANGELIST, SECOND BY MR. VANSTEAN

RESOLVED THAT AUTHORIZATION IS GRANTED FOR THE VILLAGE OF LYONS ZONING AND PLANNING BOARD MEMBERS TO ATTEND THE NYCOM SPONSORED PLANNING AND ZONING SUMMER SCHOOLS 2010. THIS WILL BE HELD AT SUNY GENESEO ON JULY 22, 2010.

AYES: MR. ALVARO, MR. EVANGELIST, Ms. GRECO, MR. VANSTEAN

TRUSTEE EVANGELIST REFERRED TO A LETTER FROM LORRAINE KNIGHT, 34 MAPLE STREET. THIS LETTER WAS IN REGARDS TO DENYING A PARKING PERMIT TO PARK BETWEEN THE SIDEWALK AND THE CURB ON/NEAR HER PROPERTY. SHE WOULD LIKE A PARKING PERMIT TO ALLOW GUEST TO PARK THERE WHEN VISITING HER. IT HAS BEEN DETERMINED THERE IS NOT ENOUGH ROOM TO ALLOW THIS. THEY WOULD BE PARKING PARTIALLY ON THE SIDEWALK. THE PARKING PERMITS DO NOT WORK IN THIS CASE. THIS PROPERTY IS NOT ELIGIBLE FOR A PARKING PERMIT.

TRUSTEE ALVARO, PRESENTED THE MONTHLY DPW REPORT AND PLACED ON FILE FOR FUTURE INFORMATION.

DISCUSSION TOOK PLACE IN REGARDS TO WHAT STREETS SHOULD BE PAVED THIS YEAR. A LIST MUST BE COMPILED WITH THE WORST STREETS AND THE LIST NEEDS TO BE PRIORITIZED. MICHAEL SALERNO, GENERAL WORKING FOREMAN, STATED NEW YORK STATE GAS AND ELECTRIC WILL BE DOING WORK WITHIN THE NEXT 2 YEARS THAT WILL RESULT IN TEARING UP ROADWAYS. MAYOR KLEISLE HOPES TO GET A LIST FROM THEM WITH THE STREETS INVOLVED AND THE WORK THAT WILL BE DONE.

TRUSTEE ALVARO STATED HE WAS ASKED TO CHECK THE RETAINING WALL IN FRONT OF THE HARTWELL'S ON MAPLE STREET TERRACE. 7 CAPS HAVE BEEN DAMAGED. THEY WOULD LIKE THE VILLAGE OF LYONS TO REPAIR THE CAPS. IT WAS DETERMINED A LETTER BE SENT ADVISING THEM THE DAMAGED WAS NOT DONE BY A VILLAGE TRUCK AND THE VILLAGE IS NOT LIABLE.

CHIEF DONALTY RETURNED AT 7:22 P.M

TRUSTEE GRECO REVIEWED THE LYONS FIRE DEPARTMENT REPORT FOR THE MONTH OF MAY. ON FILE FOR FUTURE INFORMATION.

TRUSTEE GRECO PRESENTED COPIES OF THE ROADS TO BE CLOSED FOR PEPPERMINT DAYS.

RESOLUTION OFFERED BY Ms. GRECO, SECOND BY MR. ALVARO

RESOLVED THAT PERMISSION BE GRANTED FOR THE LYONS PEPPERMINT DAYS FESTIVAL COMMITTEE TO USE CENTRAL PARK, JULY 8<sup>TH</sup> JULY 11<sup>TH</sup> FOR THE FESTIVAL AND USE OF THE FOLLOWING STREETS DURING THE FESTIVAL: CHURCH STREET, PEARL STREET, BROAD STREET, AND WILLIAM STREET. MAPLE STREET, FOSTER STREET, AND SISSON STREET WILL BE USED FOR LINE UP FOR THE PARADE ON SATURDAY NIGHT.

AYES: MR. ALVARO, MR. EVANGELIST, MS. GRECO, MR. VANSTEAN

TRUSTEE GRECO ANNOUNCED THE 2010 ERIE CANAL BIKE TREK WILL BE PASSING THROUGH WAYNE COUNTY ON JULY 13, 2010. LAST YEAR MORE THAN 500 CYCLISTS TOOK PART IN THE TOUR. FOR INFORMATION ONLY.

CHIEF DONALTY REPORTED HE SPOKE TO OFFICER MASTRACY AND HE ACCEPTED TO EXTEND HIS EMPLOYMENT WITH THE VILLAGE OF LYONS UNTIL JULY 17, 2010, BASED ON THE CURRENT AGREEMENT.

RESOLUTION OFFERED BY MR. VANSTEAN, SECOND BY MR. EVANGELIST

RESOLVED THAT EXECUTIVE SESSION BE DECLARED AT 7:34 P.M. FOR THE PURPOSE OF DISCUSSING EMPLOYMENT HISTORY.

AYES: MR. ALVARO, MR. EVANGELIST, MS. GRECO, MR. VANSTEAN

RESOLUTION OFFERED MR. VANSTEAN, SECOND BY MR. EVANGELIST

RESOLVED THAT MEETING BE MOVED OUT OF EXECUTIVE SESSION AT 8:00 P.M.

AYES: MR. ALVARO, MR. EVANGELIST, MS. GRECO, MR. VANSTEAN

RESOLUTION OFFERED BY MR. EVANGELIST, SECOND BY MR. VANSTEAN

RESOLVED THAT THE MEETING BE ADJOURNED.

AYES: MR. ALVARO, MR. EVANGELIST, MS. GRECO, MR. VANSTEAN

MEETING ADJOURNED AT 8:00 P.M.

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DENISE DARCANGELIS, CLERK-TREASURER

