

REGULAR MEETING OF THE VILLAGE OF LYONS BOARD OF TRUSTEES HELD ON TUESDAY, MAY 18, 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
Art Williams, Village Attorney (Arrived at 6:05 P.M., left at 6:57 P.M.)
Denise Darcangelis, Clerk-Treasurer
Michael Salerno, General Working Foreman
Michael Donalty, Police Chief

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

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

RESOLVED that the minutes of the regular board meeting held on April 20, 2010, the special meeting held on April 29, 2010, and the regular board meeting May 4, 2010, be approved as submitted.

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

Mayor Kleisle introduced Village Historian, Carol Bailey. Ms. Bailey presented her annual report to the Village Board. She discussed her accomplishments for 2009, as well as, the trainings and lectures she attended. She mentioned her personal goals she would like to accomplish in 2010. She calculated approximately 94 hours spent were as the Town and Village Historian. She stated she appreciates and enjoys serving as the Village historian.

Mayor Kleisle stated the Village of Lyons has received communication from Wayne County regarding the Village of Lyons proposal to deed all of Prospect Street to the County of Wayne. The Finance Committee's final response to that proposal is that the County is not interested in owning Prospect Street. It was determined Deputy Mayor, Dennis Alvaro, will speak to the property owner at 25 Butternut Street to see if they would be interested in taking ownership of the small area known as Prospect Street.

Village Attorney, Arthur Williams, will follow up with Mr. Steven Corcoran, in regards to the sidewalk issue on North Joy Street.

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

RESOLVED that the audit be approved as submitted #1002-#1010 General, Water, and Sewer Fund \$167,489.95, #1011-#1077 General, Water, and Sewer Fund \$190,944.77, #1078 Capital Project CDBG-R \$181,047.20, #1079-#1084 Capital Reserve-Water Tank Project \$2,758.77, #1085 Trust & Agency-Drug Forfeiture \$89.81, #1086-#1089 Capital Project-GIGP \$574.27, #1090 Capital Project-CDBG-R \$141,734.30 #1091 Trust & Agency-D.A.R.E. \$693.00.

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 Ms. Greco

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

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

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

RESOLVED that all overdrawn funds be brought into balance for year-end.

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

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

RESOLVED that the 2009-2010 budget be amended for \$19,712.80 in the Lyons Police Department police wages line for compensation reimbursement paid by Wayne County for Insurance recovery.

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

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

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

RESOLVED that permission is granted for the Lyons Elks Lodge #869 to conduct a Flag/Retirement/burning ceremony to be held Monday, June 14, 2010, at 7:00 p.m. in the bandstand area of Central Park.

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

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

RESOLUTION that permission is granted for the Lyons Elks Lodge #869 to host their annual fishing derby on June 26, 2010, beginning at 9:00 A.M. with an alternate date of Sunday, June 27th, at the same time in the event of bad weather. This will be held on the south side of the canal between the Leach Road and Route 14 bridges.

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

Mayor Kleisle discussed Change Order #1 from Nicoletta Building Contractors & Development, Inc. The additional cost is for extra concrete and retaining wall items that total \$24,530. There is a credit of \$11,850 for the supply and installation of water service material. Total change order is \$12,680.

RESOLUTION offered by Mr. Evangelist, second Mr. VanStean

RESOLVED that authorization is granted for Mayor Kleisle to sign Change order #1 in the amount of \$12,680 from Nicoletta Building Contractors & Development, Inc.

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

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

RESOLVED that authorization is granted to pay Randsco Pipeline, Inc. the request for the extra payment in the amount of \$22,629.07 for the work performed for the Village of Lyons Water Main, Elmer Street, Geneva Street, and Depew Avenue project.

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

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

RESOLVED that the proposals from Connors Haas for the electrical changes and repairs for the canal project be tabled until the next meeting pending review of all change orders.

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

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

RESOLVED that Mayor Kleisle is authorized to sign the Wayne County Fire Service Mutual Aid Plan and

WHEREAS, the "Wayne County Fire Service Mutual Aid Plan" was originally adopted in 1961, and

WHEREAS, the Wayne County Fire Coordinator, after soliciting comments and recommendations from the fire service, has drafted a new Mutual Aid Plan; and

WHEREAS, this Plan has been reviewed, edited and approved by the Wayne County Fire Advisory Board and Adopted by the Wayne County Board of Supervisor's on March 16, 2010 by resolution no. 190-10; Now therefore be it

RESOLVED, that the Village of Lyons Fire Department has elected to participate in the Wayne County Fire Mutual Aid Plan and agrees to comply with the provisions of such Plan

and its Attachments; and be it further

RESOLVED, that copies of this Resolution be filed with the Wayne County Fire Coordinator and the Village of Lyons, governing board of the aforementioned fire department.

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

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

WHEREAS, the "Wayne County Fire Service Mutual Aid Plan" was originally adopted in 1961, and

WHEREAS, the Wayne County Fire Coordinator, after soliciting comments and recommendations from the fire service, has drafted a new Mutual Aid Plan; and

WHEREAS, this Plan has been adopted by the Village of Lyons Fire Department

Now therefore be it

RESOLVED, that the Village of Lyons, As governing board of the aforementioned fire department(s), authorize the (these) fire department(s) to participate in the Wayne County Fire Service Mutual Aid Plan without restrictions within the meaning of Section 209 of the General Municipal Law; and be it further

RESOLVED, that copies of this Resolution be filed with the Wayne County Fire Coordinator and the Village of Lyons

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

Mayor Kleisle read correspondence from New York State Department of Transportation regarding reducing the speed limit on the westerly boundary of the Village of Lyons. It has been determined, after their investigation, that a 50 mph speed limit is justified in that area. Signage will be installed after filing with the Secretary of State. Mayor Kleisle will ask them to reconsider their decision.

Mayor Kleisle advised communication has been received from New York State Department of Transportation notifying the Village they will be performing a project within the Village of Lyons that will retrofit existing sidewalk ramps constructed under a previous Department project with detectable warning fields. Construction will begin in July 2010 with a completion date of December 2010. The Department of Transportation will fund this project. For information only.

Mayor Kleisle stated she did receive communication from Kirsta and Andrew DeWolf. For Information Only.

Mayor Kleisle stated she has received communication that the replacement of West Water Street Bridge will not be in conflict with the New York State Route 31 bridge project over Trout Brook.

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

RESOLVED that authorization is given to Warren Wheaton, Richard Wunder, Michael Salerno, Mark Chadwick, David DeWolf, and Tom Gowan to attend the Finger Lakes Water Works Conference Spring Workshop, to be held on June 3, 2010, at Burnham's Canalside Restaurant in Newark. All expenses to be borne by the Village of Lyons.

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

Trustee VanStean stated he had a meeting with Severn Trent to discuss water treatment plant options and possibilities. They would like information to perform an appraisal of the Water and Waste Water Departments with the intent of supplying the Village of Lyons with a proposal from them to operate these departments.

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

RESOLVED that permission is granted to release the requested information to Severn Trent to allow them to perform a study on the Village of Lyons Water and Waste Water Treatment Plants.

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

Trustee VanStean also commented he is in the process of meeting with Ram Shrivastava, Larsen-Engineers and Sharon Lilla, Director of Wayne County Planning Department, to discuss the sludge process for the Village of Lyons.

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

Chief Donalty discussed the request from a resident on Elmer Street to put up Children at Play signs and additional stop signs at the corner of Baltzel Avenue and Shuler Street, Cross Street and Shuler Street, and Cross Street and Elmer Street. Chief Donalty stated traffic studies have been done in that area in the past. He cannot justify putting up additional signage. There is not a lot of thru traffic in that area and the streets are short. He feels there is no need to erect signage.

Arthur Williams, Village Attorney, left at 6:57 P.M.

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

RESOLVED that permission is granted for Chief Donalty to submit a grant application for Traffic Safety in the amount of \$8,800 to be used for overtime personnel.

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

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

RESOLVED that permission is granted for Chief Donalty to submit a grant application for Bulletproof Vests, \$1,875 for 50% replacement cost of 6 vests in 2011.

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

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

RESOLVED that permission is granted for the Lyons Police Department to accept a donation of Honor Guard equipment valued at approximately \$500 from the Lyons Police Association.

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

Chief Donalty informed the Village Board the Lyons Police Department received two new breath screening devices valued at \$1,500 from the NYS Traffic Safety Grant. For information only.

Chief Donalty advised the Village Board mandatory semi-annual in-service training is being held this week for the Lyons Police Department. Approximately 32 hours of overtime may be incurred. For information only.

Chief Donalty reported a funeral detail was put in place for the Lyons Police Honor Guard. This was for past Sergeant David Rising. This was very well received and Chief Donalty has heard many positive comments. They did receive a thank you note from the Rising family stating their appreciation for this.

Trustee Alvaro gave the Street Department Report. On file for future information.

Trustee Evangelist suggested a thank you note go to the Town Board, Jake Emmel and his staff thanking them for their help with the brush pick up in the Village.

Trustee Greco reviewed the Lyons Fire Department report for the month of April. On file for future information.

Trustee Greco advised the Board the paid Drivers are assisting the Water Department with painting the fire hydrants in the Village. For information only.

Trustee Greco stated the Fifth Annual Canal Splash is scheduled August 13-15. Any events taking place for this event should be registered by June 3, 2010.

Trustee Greco stated the Lyons Central School events calendar is going out for publishing. They are looking for important community dates to publish so if anyone has any, please let her know.

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

RESOLVED that an executive session be declared to discuss LPA negotiations, Teamster Contract, and employment history.

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

Executive session declared at 7.18 P.M.

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

RESOLVED that regular session be resumed at 9:16 P.M.

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

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

RESOLVED that the Mayor is authorized to sign a contract with the Lyons Police Association covering the period of June 1, 2010 – May 31, 2014.

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

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

RESOLVED that Steve Boyer's employment with the Village of Lyons be terminated effective immediately.

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

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

RESOLVED that the Village of Lyons hereby authorizes the Clerk-Treasurer to submit to Senator Nozzolio, A.8076-A/S.4194-A, an act to authorize the Village of Lyons to offer an optional twenty year retirement plan to certain police officers employed by the Village of Lyons.

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

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

RESOLVED that the Village of Lyons hereby authorizes the Clerk-Treasurer to submit to Assemblyman Oaks, A.8076-A/S.4194-A, an act to authorize the Village of Lyons to offer an optional twenty year retirement plan to certain police officers employed by the Village of Lyons.

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

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

RESOLVED that the meeting be adjourned.

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

Meeting adjourned at 9:20 P.M.

Denise Darcangelis, Clerk-Treasurer

