

SPECIAL MEETING OF THE VILLAGE BOARD OF TRUSTEES HELD ON TUESDAY, MAY 4, 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
Denise Darcangelis, Clerk-Treasurer
Arthur Williams, Village Attorney (Left at 6:51 P.M.)

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

Mayor Kleisle introduced Ann Salerno, 75 Broad Street. Ms. Salerno stated she lives in the Historic District, loves Lyons, and is on many volunteer committees throughout the community. She feels Lyons has made great strides, but feels enforcing the parking between the sidewalk and curb has caused a lot of hostility in the community. She asked the Village Board to look at Section C, Chapter 23.4 of the Village of Lyons Municipal Code, Placing, parking or standing of a vehicle. Section C states the space between curb and sidewalk, used for parking or standing, shall be installed and maintained by owner of parcel adjoining sidewalk, and surface of parking area shall consist of either concrete or bituminous material installed by and with accepted construction standards. She stated her home was built in 1873 and it has always been gravel and stone. She looked at her deed, does not own that piece of property, and does not understand how we can enforce that area to be paved by the homeowner.

Mayor Kleisle explained the law states when that area is used for parking or standing of a vehicle, blacktop or concrete is required. For those that are allowed to park between the sidewalk and curb, if they are not properly maintained, you will see many mud holes and dirt in resident's front yards. Mayor Kleisle stated we are trying to clean up the Village; and questioned, do you want the Village to look like this?

Arthur Williams, Village Attorney, commented the Village is trying to preclude parking between the sidewalk and the curb but if it is allowed, it needs to be esthetically correct. The Village can regulate the owner maintaining that piece of parcel by requiring it to be concrete or bituminous material installed by and with accepted construction standards because we are allowing you to use it. This is a compromise, if we allow the property owner to use it we can regulate how it is to be maintained.

Ms. Salerno questioned if she has an overnight guest, what she should do. Mayor Kleisle stated she hopes the Village would work with her in that circumstance.

Trustee Evangelist stated the committee surveyed all the streets in Lyons. There are 1,433 properties. 32 offenses were identified, 27 of those were people parking illegally between the sidewalk and the curb, even though other parking was available elsewhere on their property. Those people have been notified of the law and have been advised they need to fill and seed the area that has been used to park illegally in the past. The 5 other residents had no other parking areas available on their property. They were asked to obtain a building permit and pave or concrete the area they are using to park their cars to comply with the law.

Mayor Kleisle stated Section A, Chapter 23.4 explains this law and only when this should be allowed. Adequate parking and standing space is neither available nor attainable within the property lines of the parcel adjoining the sidewalk. A permit is not given if the property has adequate parking.

Ms. Salerno felt a letter should be written to the editor to clarify the law.

Mayor Kleisle stated she will prepare a write up for the website.

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

RESOLVED that permission is granted for the Mayor, Village Board, and Clerk-Treasurer to attend the Wayne County Village Officials meeting to be held May 19, 2010, at the Wolcott Elks Lodge, in Wolcott. All expenses to be borne 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 permission is granted to transfer \$5,468.45 for the retaining wall for the Canal Project from A1990.4-\$1,468.45, A7140.437-\$500.00, A7140.487- \$1,000.00, A7140.479-\$500.00, and A7140.499- \$2,000.00 to A7140.431.

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

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

RESOLVED that permission is granted to pay \$4,329.06 out of the General Fund to Lyons Central School for the Joint Fuel Facility's March Invoice.

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

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

RESOLVED that permission is granted to pay \$350.00 out of the General Fund to New York State Gas & Electric for the new service fee for connection and design for the North/South side Canal project.

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

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

RESOLVED that permission is granted to pay Randsco Pipeline, Inc. for the construction costs for the Water Main Improvement for Elmer, Geneva Streets and Depew Avenue, this is the first payment in the amount of \$176,755.10 for the CDBG-R project.

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

Mayor Kleisle discussed the status of the West Water Street Bridge. The road closure and the time table were presented. The project should be awarded in June, at that time the contractor will order the steel beams for the bridge. The estimated time for delivery of the steel is-5 months, this will bring us into November. A discussion took place as to when the project should start.

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

RESOLVED that Barton & Loguidice be authorized to prepare bid specifications for the West Water Street Bridge with construction to commence in March 2011; completion within 8 to 9 months.

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

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

RESOLVED that executive session be declared to discuss LPA negotiations and Teamster negotiations at 6:39 P.M.

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

RESOLUTION offered by Mr. Alvaro, second Ms. Greco

RESOLVED that regular session be resumed.

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

Regular session resumed at 6:50 P.M.

Village Attorney, Arthur Williams, left at 6:51 P.M.

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

RESOLVED that authorization is granted for Mayor Kleisle to sign Change Order #1 with Connor Haas to allow the time extension for the construction completion date for the Lyons Canal Park Improvements from April 30, 2010 to June 25, 2010.

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

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

RESOLVED that authorization is granted for Mayor Kleisle to sign Change Order #2 with Nicoletta Building Contractors Inc. to allow the time extension for the construction completion date for the Lyons Canal Park Improvements from April 30, 2010 to June 25, 2010.

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

RESOLUTION offered by Mr. VanStean, second Mr. Evangelist

RESOLVED that authorization is granted for Mayor Kleisle to sign Change Order #1 Waste Water Treatment Plant Green Improvements to revise Section 070150G, Green Roof Panels, Section 2.2-Required Components, Subsection D. For Pre-Grown Systems where 15 lbs per sf saturated @ 2" or 52 mm is specified to read 17 lbs per sf saturated @ 2.5" or 64 mm, and the system will maintain 15 to 17 pounds per square foot saturated with 2.5 inches of growth media unless specified otherwise.

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

Mayor Kleisle stated notification was received from the New York State Canal Corporation that the 200 foot retaining wall with landscaping has been approved and added to our grant project.

Mayor Kleisle announced the Wayne County Water Authority has sent notification of a rate increase effective August 1, 2010. The current rate is \$2.38 per 1,000 gallons and will increase to \$2.55 per 1,000 gallons. For information only.

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

RESOLVED that permission is granted for Mark DeCracker and a film crew from Los Angeles, to use the Village streets on May 17, 2010, to film a special on the Mural Mania Program.

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

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

RESOLVED that permission is granted for Larry Ann Evans, Executive Director of the Wayne County Historical Society, to use Central Park on May 22, 2010, to film the 2011 Wayne County Historical Society calendar.

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

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

RESOLVED that authorization is granted for Mayor Kleisle to sign the Local Government Efficiency Grant Program Contract with the State of New York for the study of the Village of Lyons, Town of Lyons and the Lyons Central School shared services.

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

Mayor Kleisle stated the Memorial Day Parade will take place May 31, 2010. Line up is at 9:00 A.M. and the parade will start at 9:30 A.M. For information only.

Mayor Kleisle asked a notice be placed in the minutes that David Rising; former Sergeant of the Lyons Police Department, passed away and the funeral will take place on Wednesday, May 5, 2010.

Mayor Kleisle discussed the issue of Village Employees leaving their job to assist the Lyons Town Ambulance on backup EMS calls. A discussion took place on whether this should be happening. It was decided Mayor Kleisle will meet with Supervisor Manktelow to get more details and further discuss this.

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

RESOLVED that permission be granted to the Lyons Elks Lodge #869 to hold their annual 5K run/walk on June 6, 2010, at 1:00 P.M., with assistance from the Lyons Police Department to DeBusse Road. The route shall be as follows: start on William Street proceed north on William Street to Maple Street then north on Maple Street to DeBusse Road and turn around and proceed on Maple Street to Broad Street then ending on Water Street in front of the American Legion. They also are given permission to use village barricades and traffic cones for the temporary street closures.

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

Trustee Alvaro reported hydrant flushing started on May 10, 2010. This will continue throughout the week.

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

RESOLVED that permission is granted to close Elm Street on July 10, 2010, for the set up of the fireworks display.

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

Trustee Greco reminded everyone Flower Power II will take place on Saturday May 8, 2010, at the North side of Lyons Erie Canal Waterfront. Plants and volunteers are needed. They will be starting at 9:30 A.M.

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

RESOLVED that the meeting be adjourned.

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

Meeting adjourned at 7:27 P.M.

Denise Darcangelis, Clerk-Treasurer

