

A MEETING OF THE VILLAGE OF LYONS BOARD OF TRUSTEES HELD ON TUESDAY, JUNE 7, 2011, AT 6:00 P.M. AT THE VILLAGE HALL, 76 WILLIAM STREET, LYONS, NEW YORK.

PRESENT: Corrine Kleisle, Mayor
Dennis Alvaro, Deputy Mayor
Ernie Evangelist, Joanne Greco, Terry VanStean, Trustees
Denise Darcangelis, Clerk-Treasurer
Arthur Williams, Village Attorney
Michael Salerno, General Working Foreman

ABSENT: Interim Chief Richard Bogan

Also Present: Dan LaGasse, Scott Bailey

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

Village Attorney, Arthur Williams, will continue to follow up on the delinquent sewer bill at 7440A Route 31 West property.

Village Attorney, Arthur Williams, reported a copy of the transmittal letter will be sent to the Heritage Society. The County's attorney is in the process of having the easement in favor of the New York State Office of Parks, Recreation and Historic Preservation released. Transfer of the title of the property to the Heritage Society will take place the same day the Village of Lyons accepts title from the County of Wayne.

Discussion took place regarding the formal appeal from a FOIL request from Andrew DeWolf. Village Attorney, Arthur Williams, advised a FOIL request allows someone to get copies of existing documents. There is nothing in the Freedom of Information Law that requires an agency to create a new record or provide information in response to questions. He feels the Village Clerk responded and answered his FOIL request.

Village Attorney, Arthur Williams, discussed the money that was left in the Hotchkiss Will for the Village of Lyons to provide funds for programs for veterinaries. The funds shall be administered with consultation from an accredited licensed veterinary for the humanistic care, treatment, euthanasia, and adoption of animals from the Town and Village of Lyons. In the event that Wayne County has an entity providing these services, these funds shall be given to this entity to be used for the Town and Village of Lyons. Mr. Williams stated he researched this best he could and feels as long as the money is used according to the paragraph of the will we should be all set. He advised to contact him if we have any questions regarding the use of this money.

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

RESOLVED that authorization is granted to pay Lozier Environmental Asbestos Abatement \$2,370.00 for the asbestos demolition, air monitoring, and inspection at 82 William Street.

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

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

RESOLVED that authorization is granted for the Benevolent and Protective Order of Elks Lyons Lodge No. 869 to hold a Father's Day Luncheon on Sunday, June 19th from 11:00 A.M. to 2:00 P.M. in the bandstand area of the Village Park.

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

Clerk-Treasurer, Denise Darcangelis, read a letter from Thomas Mastrangelo, President of Summit Street Boys, LLC. He requested the Village Board to waive the standard 30 day waiting period for an on premises retail liquor license at Deacon's Tavern, 43 Canal Street.

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

RESOLVED that the request to waive the standard 30 day waiting period for an on premises retail liquor license at Deacon's Tavern, 43 Canal Street be tabled until June 21, 2011, to get the input from the Lyons Police Department.

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

Mayor Kleisle thanked everyone who helped with the breakfast on Saturday for the Lyons Community Center. They had a good turnout and it was for a good cause.

Mayor Kleisle announced the 6th grade class will be planting peppermint between 12:00 P.M. and 1:30 P.M on June 8th at the Canal bank. She asked anyone that could assist with planting and supervising the children to please attend.

Mayor Kleisle stated applications are available for the Environmental Protection Funds. This is for the acquisition, planning, development, and improvement of parks, historic properties, and heritage areas by municipalities and not-for-profit organizations. The due date for this application is September 1, 2011. A workshop will be held in Waterloo to give further details.

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

RESOLVED that authorization is granted for the Village Board to attend the NYS OPRHP workshop to be held in Waterloo on June 13th from 1:00 P.M. to 3:00 P.M.

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

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

RESOLVED that authorization is granted to advertise for 2 part-time summer positions for the Department of Public Works.

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

Mayor Kleisle discussed the need for a public informational meeting regarding the decommissioning of the water plant. July 11 and 12 were opened with the Village Board. Mayor Kleisle will suggest these dates to MRB, Wayne County Water and Sewer Authority and the Department of Health for their availability.

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

RESOLVED that authorization is granted for Michael Salerno to attend the Grade "D" Water Operator's Certification Course July 19-July 20, 2011 in Morrisville, and Tom Gowan to attend the same schooling October 12-October 13, 2011.

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

Mayor Kleisle introduced Ryan Colvin, P.E., MRB Group. Mr. Colvin reviewed the steps for the decommissioning procedure for the Water Plant.

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

WHEREAS, the Village of Lyons Board of Trustees (hereinafter referred to as Village Board) has on Tuesday, May 3, 2011 declared its intent to be designated the Lead Agency for the Village of Lyons Water Treatment Plant Decommissioning under the provisions of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Village Board has provided written notices to this effect to the involved and interested agencies; and

WHEREAS, the Village Board has not received any written objections from the involved agencies to the Board's being designated as the lead agency under the SEQR Regulations; and

WHEREAS, the Village Board has previously determined that it is the most appropriate agency to insure the coordination of this Action and for making the determination of significance thereon under the SEQR Regulations.

NOW, THEREFORE BE IT RESOLVED that the Village Board does hereby designate itself as the lead agency for the Action identified above herein;

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

Mr. Colvin then read the questions to the SEQR, the Village Board responded.

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

WHEREAS, the Village of Lyons Board of Trustees (hereinafter referred to as Village Board) has determined the above referenced Action to be an Type 1 under Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Village Board has reviewed and accepted the Environmental Assessment Form on the Action prepared by the MRB Group, P.C; and

WHEREAS, the Village Board has completed the public review and comment period provided for under the SEQR Regulations; and

WHEREAS, the Village Board has designated itself as lead agency under the SEQR Regulations for making the determination of significance upon said action; and

WHEREAS, the Village Board has given consideration to the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQR Regulations and the information contained in Environmental Assessment Form.

NOW THEREFORE BE IT RESOLVED, that said Action WILL NOT result in any significant adverse environmental impacts based on the review of the Full Environmental Assessment Form; and

BE IT FINALLY RESOLVED that the Village Board does hereby make a Determination of Non-Significance on said Action, and the Village Mayor is hereby directed to sign and issue the Negative Declaration form as evidence of the Village Board determination of environmental non-significance.

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

ABSTAIN: Mr. VanStean

Mayor Kleisle announced the CDBG grant application for the replacement of the century old waterlines located on Montezuma Street has been sent to the State. The award announcements of this grant should be made in September.

Mayor Kleisle stated she has received information on pumps for the fountains in the park. The prices of the pumps are \$175.00 each with a \$20.00 rebate on each and it was recommended to get pump socks for \$29.99 each. The socks will help prevent clogging.

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

RESOLVED that authorization is granted to purchase the proposed pumps and socks for the fountains.

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

Mayor Kleisle also asked the Village Board to look at the fountains to select a paint color. Currently, the fountains are two different colors. Trustee VanStean suggested we paint the fountains with the color that we have left.

Trustee VanStean stated Sunday, June 12th from noon to 4:00 P.M., the Foundations of Community Class of the Lyons High School is holding a scrap metal drive. This will be held in the parking lot of the Lyons Community Center. All proceeds will be donated to the Lyons Community Center. Any type of metal is accepted. Pick-up service is available. For information only.

Trustee VanStean commented on the water consumption report. He is concerned with the amount of water we are producing and purchasing. He would like to see what is being billed. He is concerned about the amount of water we are losing. Mayor Kleisle explained we are in the process of reading water meters now and should have that information for him within the next two weeks. General Working Foreman, Michael Salerno, stated he feels the water usage is up due to people filling pools, watering plants and extra showers. He is aware of three leaks, which will be scheduled for repair.

Trustee VanStean reported he attended the Chamber of Commerce meeting last night. The Executive Board will not meet during the summer months. They will resume meetings in September.

Trustee VanStean stated he received the minutes from the Jt. Planning Board on a recent meeting that took place. He is concerned that the Planning Board took action. He stated the planning board is an advisory body, and cannot "change" any of the things requested, they can give their consent that they are OK with the changes, but the changes must be voted on by a

regulatory board (i.e. zoning or village). He also stated the Planning Board should have done a short form negative declaration SEQR for the Lyons National Bank project. Mayor Kleisle stated the Village Board can do that.

Trustee VanStean handed out the quote for the gateway signage. Four signs with one layer of material is \$1,242.00 each. The post assembly made of steel is \$330.00 each.

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

RESOLVED that we move forward with the production of the four gateway signs for a total of \$6,290.00.

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

Trustee VanStean stated he also attended the Peppermint Days meeting last night. He reported there is controversy with local merchants not being allowed to vend in the park during Peppermint Days. Trustee VanStean stated he feels Lyons vendors should have first priority since it is a Lyons Peppermint Days festival. Trustee Evangelist stated he feels the same way and something needs to change. Trustee Greco stated the vendors have never been denied, they can go in the park, but must sell something else. Trustee Greco stated most festivals are juried so there are no duplications. This is so all vendors' profit. Mayor Kleisle stated she feels the people need to make a choice. She doesn't want to be limited to go to only one vendor; the better one will shake out. We need to work with the people within this community. Trustee VanStean feels this practice needs to be reviewed and changed. Mayor Kleisle stated we need to take care of the people within our community first. It was decided to send a letter to the Peppermint Days Committee to advise them the Village's position on this.

Trustee VanStean requested a letter go to Peter Miller, Clemen Sign Co., to thank him for his submission of suggested signage, however, we have elected to go somewhere else.

Trustee Evangelist read the letter of resignation from Charles Gibson.

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

RESOLVED that the Village Board accept the letter of resignation from Charles Gibson from his position of Part-time Code Enforcement Officer effective May 31, 2011, with regret and thank him for his service with the Village of Lyons.

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

Trustee Evangelist read a letter from Sergeant Dresser regarding the recent "Click It or Ticket" seat belt enforcement mobilization. This took place May 23rd through June 5th. A total of 18 patrol hours were devoted to seatbelt enforcement. 16 seatbelt tickets were issued, one of which resulted in a "Driving While Intoxicated" arrest along with the seatbelt violation. Two tickets were also issued for operating a motor vehicle while using a mobile phone. On file with the Village Clerk.

Trustee Evangelist reported interviews have been conducted for the Chief of Police position. They are working on background checks and doing more follow up. Hope to have a recommendation by June 21, 2011.

Trustee Alvaro announced there will be a Historic Preservation Tax Credit Incentives information meeting on June 13, 2011, at 3:30 P.M. at the Community Action in Self Help, Inc. Tech Center, 20 Broad Street. RSVP by June 8th. For information only.

Trustee Alvaro also reported the New York Main Street Committee is working to get everyone together for another meeting to consider applications for the New York Main Street Program. For information only.

General Working Foreman, Michael Salerno, briefed the Village Board on projects his department is working on, equipment that needs replacing, and future projects that are scheduled.

General Working Foreman, Michael Salerno, reported the West Water Street Bridge is going well. The contractor is required to pave 100' of blacktop east and west of the bridge. Mr. Salerno will get quotes from the company doing the blacktop and the cost of mill and paving to Layton Street and paving to the Village line. He will also get pricing on replacing 15 water services in that area.

Village Attorney, Arthur Williams, left at 8:00 P.M.

Town Councilman, Dan LaGasse, publically thanked Chief Bogan for his work, determination and expertise on getting the lighting on the Main Street Sign completed.

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 8:14 P.M.

Denise Darcangelis, Clerk-Treasurer

