

REGULAR MEETING OF THE VILLAGE OF LYONS BOARD OF TRUSTEES HELD ON TUESDAY, JUNE 21, 2011, 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
Richard Bogan, Interim Police Chief
Denise Darcangelis, Clerk-Treasurer
Michael Salerno, General Working Foreman

ABSENT: Arthur Williams, Village Attorney

Also in attendance: Jeff Deichman, Don Catholdi, Dan LaGasse, Jack McCranels, Scott Bailey, James Ireland, Robin Lead, and Karen Burley.

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

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

RESOLVED that the minutes of the regular meeting held on May 17, 2011 special meeting held on May 26, 2011, and the meeting held on June 7, 2011, 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: #999-#1009 General, Water and Sewer Fund \$97,047.50, #1010-#1065 General, Water and Sewer Fund \$221,318.18, #1-#4-General, Water and Sewer Fund \$109,019.41, #5-#38 General, Water and Sewer Fund \$36,090.33, #39 Trust & Agency-Drug Forfeiture \$49.22, #40 Trust & Agency D.A.R.E. \$1,789.50, #41 Capital Account \$3,947.40, #42 GIGP \$1,518.00, #43 Capital Project NY Main Street \$1,900.00, #44-#45 Capital Project-WWSB \$142,733.08.

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

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.

A discussion took place regarding the request from Thomas Mastrangelo, President of Summit Street Boys, LLC, asking 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. Chief Bogan stated he is not familiar with Mr. Mastrangelo and suggested to let it run its course with the 30 day waiting period and let the liquor authority do its job.

Mayor Kleisle stated correspondence was received from NYMIR subscriber accounting statement covering fiscal year 2010. This included the year-end results, balances in the two subscriber accounts, and the capitalization balance if any still owed to NYMIR. This is on file with the Village Clerk.

Mayor Kleisle acknowledged the petition and letters of support received for the Police Chief position. Letters were received from Charles and Barbara Huff, residence of 8 High Street, William Pulver, Wayne County Emergency Management, John Lese, former Lyons Police Chief and Gerry Clingerman, former Village of Lyons Trustee.

Mayor Kleisle reviewed the Canal Committee report. Canal Splash is scheduled for August 12- August 14. There will be a volunteer appreciation day on August 12 behind the Hotchkiss building. They are working on signage for the Canal bank. Signage from the Canal to downtown and other points of interest, example: museum. There is a need for visualization, they would like to paint "Welcome to Lyons" on the cement wall.

Mayor Kleisle stated the 13th annual 8-day, 400-mile, Cycling the Erie Canal Bike Tour across New York State is scheduled to pass through Wayne County on Tuesday, July 12th. The committee is working to get signage for water stations, downtown and restaurants. The Lyons Chamber of Commerce will notify the local restaurants of this event.

Mayor Kleisle reported the dockage will have to be ADA accessible. We will need help from other governmental agencies to get this done.

Mayor Kleisle also reported we are working on 3 flag poles in back of the firehouse. There will be a New York State flag, U.S. flag and a Canadian flag.

Mayor Kleisle read the Village Justice Report for May 2011. The number of cases reported to audit and control was 194, fines collected were \$8,315 and bail collected \$12,200. This is on file for future information.

General Working Foreman, Michael Salerno, gave the Street Department Report. We are 95% complete with the brush pick up in the Village.

Trustee Alvaro and General Working Foreman, Michael Salerno, will get together to review the applicants for summer help.

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

RESOLVED that the selection Trustee Alvaro and General Working Foreman, Michael Salerno, make from the applications for summer help be authorized and they commence work on June 27, 2011.

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

Mayor Kleisle read notification from Warren Wheaton, Chief Water Plant Operator, stating as of June 29, 2011, he will be officially retired.

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

RESOLVED that the Village of Lyons accept Warren Wheaton's notice of retirement effective June 29, 2011.

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

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

RESOLVED that Warren Wheaton be hired as a part-time Water Treatment Plant Operator effective June 30, 2011, at the hourly rate of \$17.84.

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

Trustee VanStean introduced Michael Boone from Eagle Sign Company. Mr. Boone presented a draft of the proposed signage for the Village of Lyons. There will be 4 entrance signs for the Village of Lyons. He estimates it will take approximately 3 weeks to make all signs. He is awaiting approval from the State of New York as to where they can be placed. 11" ovals with the Village of Lyons incorporated date will be added to the post.

Mayor Kleisle presented to the Board a list of equipment that is needed in the Department of Public Works. She reviewed the list and asked that the Village Board consider purchasing some or all of the equipment at the next village board meeting.

Trustee VanStean reported the City of Geneva has passed a resolution to do a special assessment district. This would allow tax exempt properties to pay for benefits they receive from the Village. Examples: police and fire protection. Mayor Kleisle will research this further to find out if this only applies to cities.

Mayor Kleisle discussed the Police Officer that is on 207-c. The Police Officer applied for NYS Retirement and NYS Retirement declined her request. The Village of Lyons is now funding her until the end of time. Mayor Kleisle has asked for proposals for reviewing this case from two different law firms. David Lippett has requested \$165.00 per hour, but stated he does not know what he would be able to do. He recommended we go with an expert. Roemer Wallens Gold & Mineaux quoted \$185.00 per hour.

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

RESOLVED that the Village of Lyons contract with Roemer Wallens Gold & Mineaux, Counselors at Law, to review the case history, analysis and recommendation toward case resolution and all related matters with the Village of Lyons in connection with the GML section 207-c case of Lisa Cole.

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

Mayor Kleisle reported the New York State Department of Health has approved the plans and specifications submitted by Derek C. Anderson, P.E. of MRB Group P.C. for the Water Supply Plans and decommissioning of the Water Treatment Plant. This is on file with the Village Clerk.

Mayor Kleisle will work on setting a date for a Public Information meeting regarding the closing of the Water Plant. She will contact Marty Aman, Peter Blandino, Ryan Colvin, the New York State Department of Health, and Mark Tayrien to see if they can be in attendance on July 18, 2011.

Mayor Kleisle discussed the meetings held regarding the decommissioning of the Water Plant. It is under discussion to move the SCADA system to the Waste Water Treatment Plant. A D license operator is needed to take samples and complete and sign reports. We have to think about hiring someone with a D license or have Wayne County Water Authority do this and bill us for their services. We need someone with a D license to actually work to meet all standards of NYS DOH. There are several things to consider. Hire a retired person with a D license maybe for 25 hours a week, contract with WCWA, hire a full-time operator in charge of this and the infrastructure, read meters, replace meters, work on water leaks, and work with DPW on down time. Trustee VanStean suggested we look into contract firms.

Mayor Kleisle stated she is working on rate increases in the Water and Sewer.

Trustee VanStean read a request from the Lyons Peppermint Days Committee regarding the street closures and use of Central Park.

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

RESOLVED that permission be granted for the Lyons Peppermint Days Festival committee to use Central Park, July 7th - July 10th for the festival and use of the following streets during the festival: July 7th, at 5:00 P.M. close Church Street from William to Broad, July 8th close Church Street from William to Broad, and close the roads for the parade route which is Broad to Queen, left on Queen to William, left on William to Water Street. Line up on William from the elementary school to Broad and down Maple Street, Jackson from Phelps/14 to Maple may be used for line-up as well. July 9th, 6:30 A.M. close William from Rick Wunder's Office to Canal Street. Church to High Street, Pearl Street, Broad Street from Court House Parking to Water. Close also Pearl Street entrance of Congress Alley. July 10th William Street from Water to Canal. Church Street from William to Broad, Corner of Montezuma to municipal parking lot.

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

Trustee Evangelist reported local people not allowed to sell in the park during Peppermint Days has been resolved. They will be allowed in the park and sell what they want.

Trustee Evangelist thanked Chief Bogan for his work on seeing the Lyons Police Department reported no overtime during payroll period June 6th - June 19th.

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

Trustee Evangelist stated the new Code Enforcement Officer has started and is doing very well. He was hired with the Town of Lyons and his salary and expenses will be split 80% Village and 20% Town for the first year. The costs will be evaluated the end of the first year.

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

RESOLVED that authorization is granted for Michael Nelson, Code Enforcement Officer, to attend the Code Enforcement Officer Site Plan Review on June 24, 2011, at Walworth Town Hall at a cost of \$25.00.

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

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

RESOLVED that executive session be declared at 7:23 P.M. for the purpose of discussing employment history within the Lyons Police Department.

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

Present: Trustee Alvaro, Trustee Evangelist, Trustee Greco, Trustee VanStean, Clerk-Treasurer, Denise Darcangelis

Absent: Mayor Kleisle

RESOLUTION offered Mr. VanStean, second by Mr. Evangelist

RESOLVED that meeting be moved out of executive session at 7:38 P.M.

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

Trustee VanStean read the recommendation report from the committee to select a new Police Chief.

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

RESOLVED that upon recommendation of Trustee VanStean and Trustee Evangelist, that Richard J. Bogan be and hereby is appointed to the position of Police Chief, effective immediately with a 26 week probation period and a salary of \$30,000 per year based on the New York State Retirement policies and medical insurance paid.

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

Police Chief Bogan, thanked members of the community that have supported him and stated he would not let them down and promised to keep the Village of Lyons a nice place to live.

Chief Bogan discussed the reports from citizens concerning a visibility issue at the intersection of Butternut and Pearl Streets. He recommends a "no parking here to corner" designating a no parking 20 feet from the intersection, along the south east curb would address the problem. Trustee VanStean also mentioned two other areas he is concerned with. He stated on Jackson Street when there is parking on both sides of the street, it creates a one lane drive. He would like to see parking allowed on only one side of the street. He stated Canal Street does have parking on one side, but enforcement needs to be done to enforce parking within 12" of the curb. Chief Bogan will pass this along to the patrols. Culver Street was another street discussed. It is difficult for trash haulers to get through when parking on the street takes place. Chief Bogan agreed to do a tour of the Village and report back as to the streets that need to be addressed for safety reasons.

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

Mr. James Ireland, 11 Elm Street, presented pictures to the Village Board of erosion of the Canal bank. General Working Foreman, Michael Salerno, will take the pictures to Dan Crane, NYS Canal, for resolution.

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 8:15 P.M.

Denise Darcangelis, Clerk-Treasurer

