

REGULAR MEETING OF THE VILLAGE OF LYONS BOARD OF TRUSTEES HELD ON TUESDAY, MARCH 15, 2011, AT 6:00 P.M. AT THE VILLAGE HALL, 76 WILLIAM STREET, LYONS, NEW YORK.

PRESENT: Corrine Kleisle, Mayor  
Dennis Alvaro, Deputy Mayor  
Joanne Greco, Terry VanStean, Trustees  
Denise Darcangelis, Clerk-Treasurer  
Richard Bogan, Police Chief  
Michael Salerno, General Working Foreman

ABSENT: Richard Evangelist, Trustee  
Arthur Williams, Village Attorney

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

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

RESOLVED that the minutes of the regular meeting held on February 15, 2011, and on March 1, 2011, be approved as submitted.

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

Mayor Kleisle introduced Alicia Linzy. She runs the LEAP afterschool program. They are working with the Girl Scouts to hold an Easter Egg Hunt on Saturday, April 23, 2011. They are requesting to use Central Park for this event.

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

RESOLVED that the LEAP Program and the Girl Scouts are authorized to use Central Park on April 23, 2011, to hold an Easter Egg Hunt.

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

The audit was presented. Joe Bartucca from Empire Enterprises, JKB, Inc. was in attendance to answer any questions regarding the bill for 82 William Street. Mr. Bartucca presented all paperwork for the asbestos removal, asbestos air monitoring & inspection. Mayor Kleisle stated she is still waiting a reply from Wayne County regarding allowing us to relevel this bill on taxes. If this cannot be done, we will have to borrow \$113,250 for the demolition at 82 William Street.

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

RESOLVED that the audit be approved as submitted. #750-#757 General, Water and Sewer Fund \$144,641.32; #758-#829 General, Water and Sewer Fund \$242,391.52, #830-#831 Trust and Agency-Drug Forfeiture \$13,688.45, #832 Capital Project West Water Street Bridge \$981.07, #833 Capital Project-NY Main Street Grant \$1,546.00, #834 Capital Project GIGP \$20,330.00

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

Mayor Kleisle informed the Board, notices were sent to 7400A Route 31 West, and 7761 Route 31 West by Village Attorney, Arthur Williams, for delinquent sewer bills. They were given 30 days from March 8, 2011, to pay the outstanding sewer bill. If left unpaid, court proceedings will follow. For information only.

Mayor Kleisle discussed the status of the contract with the Town of Lyons for the full-time Code Enforcement Officer. A copy of the proposal with additions and changes was sent to Town Supervisor, Brian Manktelow. A list was received from Wayne County Human Resources with two eligible applicants that have shown interest in an interview. The next Civil Service exam for the Code Enforcement Officer will be held May 4, 2011.

The Treasurer's report was given and a request that the overdrawn funds be brought into balance.

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

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

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

Quotes received from trash haulers regarding the removal of trash from the village barrels and the trash from the village hall and the fire department.

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

RESOLVED that upon receipt of the quotes for trash removal, K & D Disposal be hired effective June 1, 2011, for the removal of trash from the village hall, fire department and the village barrels (twice a week) for the amount of \$353.00 monthly.

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

The Clerk-Treasurer informed the Village Board Local Law 1-2011 New Building Permits and Inspection Fees was received and filed by the State of New York. For information only.

Michael Salerno, General Working Foreman, presented the monthly DPW report and placed on file for future information. Mr. Salerno discussed his need for a new Vac All/Sweeper. He feels he can refurbish a Mac Truck for \$10,000 and purchase a new sweeper at an estimated cost of \$160,000.

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

RESOLVED that permission is granted for General Working Foreman, Michael Salerno, to draft specs for a Vac All/Sweeper.

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

Jerry Ashley, Lyons Main Street Program Manager, was in attendance and stated he is working with local businesses to discount cleaning supplies, paint, and various items to promote painting, repairing and cleaning up residential homes and yards.

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

RESOLVED that the Village of Lyons proclaims the month of May, "Paint Up, Clean Up, Fix up Month"

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

Mayor Kleisle presented the Village Board with the changes to the 2011-2012 budget. She re-worked the budget with the suggested changes and the increase is 1.7%. She asked the Village Board if there were more changes or if they would like to schedule the Public Hearing. It was determined to schedule the Public Hearing on the 2011-2012 budget for April 5, 2011, at 6:00 P.M. at the Village Hall.

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

RESOLVED that Mayor Kleisle is authorized to execute the Load Reduction and Generation Agreement with New York State Electric and Gas for Summer 2011.

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

Mayor Kleisle stated there was a conference call with Charles Phillion, Community Developer for NYS Homes and Community Renewal. The Village would like to make an application for CDBG funding for replacement of water valves and hydrants. One stipulation is this can only benefit those residents within the Block Grant. It was decided to focus on Montezuma Street. An income survey will have to be done for the residents on that street, including Canal View and Scott Street.

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

Whereas, there is substantial need to replace water line along Montezuma Street; and

Whereas, up to \$600,000 in funding is available for this purpose through the New York State Homes & Community Renewal — CDBG program; now, therefore be it

Resolved, that the Mayor is authorized to prepare and submit a CDBG application in the amount not to **exceed \$600,000** for the purpose of replacing water lines servicing Montezuma Street; and be it further

Resolved, that Corrine Kleisle, Mayor, is authorized and directed to execute any documents necessary to submit said grant application.

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

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

RESOLVED that authorization is granted for Rebecca Gamba to send out income surveys to the residents on Montezuma Street for the CDBG grant.

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

Mayor Kleisle read the Village Justice Report for February 2011. The number of cases reported to audit and control was 300, fines collected \$25,042 and bail collected \$19,000. This is on file with the Village Clerk.

Mayor Kleisle discussed the notification received from the New York State Comptroller's Office regarding the Constitutional Tax Limit. They recognized that we have exhausted 86 percent of our tax limit. Mayor Kleisle explained there is no way to reduce this. We have had no new construction and we are locked in a tax rate we cannot charge. Until something changes, we will probably receive this letter next year too.

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

RESOLVED that attendance is authorized for the Zoning Board, Planning Board, and Village Board to attend the Landmark Society of Western New York's 25th Annual Preservation Conference to be held on April 30, 2011, in Dansville, New York.

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

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

RESOLVED that the Village of Lyons file the Engineering Report for the Decommissioning of the Village of Lyons Water Plant with the New York State Department of Health and the New York State Department of Environmental Conservation.

AYES: Mr. Alvaro, Ms. Greco, Mayor Kleisle

NAYE: Mr. VanStean

Mayor Kleisle announced a meeting on March 21, 2011, at 6:00 P.M. at the Village Hall to discuss ideas for the North and South Canal Park. All interested parties are encouraged to attend.

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

The Village of Lyons designates the Wayne County Cable Council as the Administrative Entity for Public, Educational, and Governmental Access as required by New York State Public Service Commission Rules;

The Village Board of the Village of Lyons designates the Wayne County Cable Council to operate Public, Educational, and Governmental Access, and provide liaison to the franchise and others as required for the purpose;

The Village Board of the Village of Lyons designates the Wayne County Cable Council to coordinate administration of the franchise agreement with the other participating towns and villages of Wayne County;

The Village Board of the Village of Lyons shall appoint a representative and alternate to the council who is authorized to vote on its behalf on matters of franchise administration and administration and operations of Public, Educational, and Governmental Access.

The Village Board of the Village of Lyons understands that funding for the administration and operations of Public, Educational, and Governmental Access is not yet determined and that the council will seek funding sources that may include but are not limited to: School Districts, franchise fees paid to the Towns and Villages, the Wayne County Board of Supervisors, grants, and public fund raising.

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

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

RESOLVED that Mayor Kleisle is the representative and Richard Evangelist is the alternate to the Wayne County Cable Council on behalf of the Village of Lyons.

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

Trustee VanStean stated back in August a resolution was made that all water meters replaced would be Badger meters. He stated we are not buying Badger meters. Mayor Kleisle explained we have not purchased any residential meters. We have only purchased meters for Midland. When we do purchase the residential meters, we will have to go to bid.

Chief Bogan read the Lyons Police Department report for the month of February. On file with the Village Clerk.

Chief Bogan expressed his need for a Part-Time Police Officer to replace the hours he was working. He presented to the Board a resume from Joshua R. Weddell.

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

RESOLVED that authorization is granted to hire as part-time Patrolman, Joshua R. Weddell, pending background investigation.

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

Chief Bogan stated he has been very busy. He has worked with General Foreman, Michael Salerno, to reduce the fleet. The Durango has been removed from the Lyons Police Department. He is working on the General Orders and the appearance of the Police Station. Trustee Greco stated she has heard many positive comments to the appointment of Chief Bogan. Trustee Alvaro also stated he has seen Chief Bogan out in the public and that is good.

Mayor Kleisle reminded all Board members they need to review the Code Enforcement Book for finalization by March 31<sup>st</sup> for recommendations and suggestions.

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

RESOLVED that permission is granted for the attendance by the Planning Board, Zoning Board, Code Enforcement Officer, and the Village Board to the Spring 2011 Regional Local Government Workshop to be held Friday, May 13, 2011, at the Burgundy Basin Inn, in Pittsford, New York.

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

Trustee Alvaro gave an update on the New York Main Street status. He reported there are applications for 18 properties plus the bank property. Eight of the applications have been sent to the State Historical and Preservation Office for their review. Ten new applications were received last week. Ed Flynn is doing the write ups and will send them to SHPO office ASAP.

Trustee Greco reported the flowers have been ordered and the flower pots have been taken to Macedon to be filled with plants.

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

Trustee Greco presented the membership application for Yazel Sahi Roque-Correa for the Lyons Volunteer Fire Department.

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

RESOLVED that Yazel Sahi Roque-Correa be and hereby approved for membership for the Lyons Volunteer Fire Department.

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

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

RESOLVED that the old radios and pagers, recently replaced by new through a Wayne County Program, at the Lyons Fire Department be declared surplus.

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

Trustee Greco mentioned the property at 63 Montezuma Street. There is a lot of debris in the yard. She would like Code Enforcement to check this out.

Mayor Kleisle stated she is still awaiting a response from NYCOM regarding our 207C case. New York State Police and Fire have determined she is not 100% disabled. Mayor Kleisle is seeking help from Assemblyman Bob Oaks for assistance with this matter.

General Working Foreman, Michael Salerno, stated the school zone light on William Street has been recently change from yellow to red. For Information Only.

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

RESOLVED that the meeting be adjourned.

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

Meeting adjourned at 7:47 P.M.

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Denise Darcangelis, Clerk-Treasurer

