

A SPECIAL MEETING OF THE VILLAGE OF LYONS BOARD OF TRUSTEES HELD ON TUESDAY, MARCH 1, 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
Arthur Williams, Village Attorney (Left at 7:44 P.M.)
Michael Salerno, General Working Foreman

ABSENT: Richard Evangelist, Trustee

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

Village Attorney, Arthur Williams, discussed communication that took place between he and Alaine T. Espenscheid, a lawyer for the Nusbickel Associates, 3-11 Broad Street. Mr. Williams explained Nusbickel Associates, LP now has a mortgage commitment with NYS Housing and Trust Fund Corporation in the amount of \$930,225 to be used for renovations to the Broad Street building. They are requesting the Village of Lyons subordinate its mortgage to that of the fourth position.

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

RESOLVED that the Village of Lyons subordinate its mortgage with Nusbickel Associates, LP to HTFC mortgage in the fourth position.

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

Village Attorney, Arthur Williams discussed the two outstanding sewer bills with two town residents. He is working with the Wayne County Attorney to see if the bills can be relieved on their County taxes. If not, he will bring action to local court as a civil action. In the meantime, he will send a demand letter to both of them.

Mayor Kleisle announced the Village Board selected Richard J. Bogan as Interim Police Chief. Friends and family were present for his swearing in.

Mayor Kleisle asked that the Clerk-Treasurer, Denise Darcangelis, swear in the Interim Police Chief, Richard J. Bogan.

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

RESOLVED that Richard J. Bogan be and hereby appointed Interim Police Chief, until a Civil Service exam is given, and a selection has been made from that list.

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

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

RESOLVED that the Interim Police Chief's rate of pay will be \$30,000 per annum, and his medical coverage will be paid by the Village of Lyons.

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

Mayor Kleisle introduced Roger Williams, from NYSEG. Mr. Williams discussed the current Commercial and Industrial rebate programs that are available through NYSEG that the Village can participate in. The rebates available are through Custom Measures, Lighting and Controls, Variable Frequency Drives, Natural Gas Furnaces, Boilers and Controls, Unitary HVAC and Air-to-Air Heat Pumps, and HVAC Chillers. If the Village opted in any of the programs, we would work with NYSEG to be sure the work we did qualifies and fill out a rebate sheet with a copy of the bill and send to NYSEG. NYSEG would send us a rebate check to the Village for the changes we implemented. The programs Mr. Williams explained would be funded through 2011.

Ryan Colvin, P.E., from MRB Group was in attendance to review the Engineering Report for the Decommissioning of the Village of Lyons Water Treatment Plant. He stated we all should be aware of the procedure and the schedule to decommission the water plant. He first needs to modify the water supply permit to start the review process. He wanted to show the report and get assurance from the Village Board prior to submitting it to the Department of Health.

Trustee VanStean questioned if the wells would be available to us. Mr. Colvin explained the wells would have to be capped and trenched so there was no public involvement. The wells could be available but not at a moment's notice. Work would have to be done at the plant to use the wells again and the water supply permit would have to be changed.

Trustee Greco questioned if the wells have been studied. Mr. Colvin stated the wells themselves are not in bad shape, it is the water plant that is in need of a lot of work. Trustee VanStean stated he felt we still do not have all of our options regarding this. Trustee Greco asked for time to read the Engineering Report that was presented tonight.

RESOLUTION offered by Mayor Kleisle, second by Mr. Alvaro

RESOLVED that Ryan Colvin, P.E. for MRB Group is authorized to submit the Decommissioning of the Village of Lyons Water Treatment Plant to the New York State Department of Health and submit a modified water supply permit application to the New York State Department of Environmental Conservation.

AYE: Mr. Alvaro, Mayor Kleisle

NAYE: Ms. Greco, Mr. VanStean

Village Attorney, Arthur Williams, left at 7:44 P.M.

Mayor Kleisle suggested all Village Board members review Stu Brown's Water & Sewer Rate Study that was done back in June of 2010.

Mayor Kleisle stated communication was received from the New York State Police and Fire Retirement System regarding Lisa Cole. Ms. Cole applied for disability retirement. The New York State Police and Fire Retirement System found the applicant is not permanently incapacitated for the performance of duties, and the claimant did not file notice for the incident of 9/17/02 as is required by subdivision e of Section 363-c of the Retirement and Social Security Law. NYCOM is researching this and will get back to Mayor Kleisle as to our next step.

The Lyons Community Center sent in a formal request of \$18,000 for funding for the Lyons Community Center's 2011 Summer Program. The Village of Lyons has supported this program the past two years and they are hoping we continue to do so. Trustee VanStean suggested we contact the Town of Lyons to ask them to assist with the 2011 Summer Program since the Senior Lunch Program, the town agreed to, fund did not work out. Mayor Kleisle will contact Supervisor Manktelow to get his thoughts.

Mayor Kleisle read a letter of resignation from Code Enforcement Officer, James Murphy, effective March 3, 2011.

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

RESOLVED that authorization is granted to accept James Murphy's letter of resignation from Code Enforcement Officer effective March 3, 2011.

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

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

RESOLVED that Michael Salerno and Tom Gowan be authorized to attend the Operator Training Seminar offered by New York Rural Water Association, March 22-23, 2011 at SUNY Morrisville. All expenses to be borne by the Village of Lyons.

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

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

RESOLVED that Richard Wunder, Tom Gowan, and Michael Salerno be authorized to attend the Finger Lake Water Works Conference spring meeting to be held Thursday, April 7, 2011, in Watkins Glen, New York. All expenses to be borne by the Village of Lyons.

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

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

RESOLVED that Mayor Kleisle is authorized to sign the separation agreement of \$71,305.45 for accruals and severance pay for Michael Donatly's contract over a 20 month period.

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

Mayor Kleisle stated another budget workshop needs to be scheduled. The board agreed to meet on Saturday, March 5, 2011 at 9:00 A.M. at the Village office.

Mayor Kleisle would like to advertise for a Motor Equipment Operator.

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

RESOLVED that authorization is granted to advertise for the vacancy of a Motor Equipment Operator.

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

Michael Salerno, General Working Foreman, and Trustee VanStean will meet to review the applications for the Laborer position that is vacant in the Village.

Mayor Kleisle informed all Board members, Village Attorney, Arthur Williams, has completed his review of the Code Book. She asked all Board members to review the book. We must have all recommendations to General Code by March 31, 2011.

Trustee VanStean discussed his recent attendance to NYCOM's Winter Legislative Meeting. He felt the attendance was down. The breakout sessions were not as good. He stated there was a lot of focus on the Property Tax Cap, which has not been finalized yet.

Trustee Greco also agreed, attendance was down at the recent NYCOM's Winter Legislative Meeting. She did attend the session on abandoned buildings and felt that session was very good and could have been extended.

Mayor Kleisle discussed the property at 82 William Street. She explained our Municipal Code Chapter 19, Section 6 states a 50% charge to cover the expenses of administration and supervision to be charged against the land on which the building existed as a municipal lien, or cause such costs to be added to the tax rolls as an assessment, or to be levied as a special tax against the land upon which the building stands or did stand, or to be recovered in a suit of law against the owner. To charge this fee on this property would substantially inflate the total cost and our chances of recouping this money does not look good. The Village Board does have the right to waive this fee. Trustee VanStean commented we must do what we can to lessen the impact on the taxpayer.

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

RESOLVED that the 50% administration fee be waived for the demolition of the building at 82 William Street.

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

Trustee Greco read a letter from the Nester Hose Company #1 in Geneva, New York. During their annual banquet on January 29, 2011, one of their members collapsed to the floor and was in need of immediate help. Chief Rios obtained his medical gear from his car and that equipment was used by on scene EMS members prior to the arrival of other responders. The members of the Nester Hose Company thanked Fire Chief Rios for his quick thinking and actions that evening. The Village Board stated that was a very nice letter and thought it was nice they acknowledge Chief Rios response.

Trustee Greco also thanked the Lyons Fire Department for their quick response to a recent motor vehicle accident on Route 14 North and Burton Road.

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

RESOLVED that the meeting be adjourned.

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

Meeting adjourned at 8:33 P.M.

