

REGULAR MEETING OF THE VILLAGE OF LYONS BOARD OF TRUSTEES HELD ON TUESDAY,
NOVEMBER 16, 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
Michael Donalty, Police Chief
Denise Darcangelis, Clerk-Treasurer
Arthur Williams, Village Attorney (arrived 6:19 P.M. left at 7:01 P.M.)

ABSENT: Michael Salerno, General Foreman

Mayor Kleisle welcomed everyone and asked all present to stand and pledge the flag.

Mayor Kleisle introduced Robert Stopper and Jack McCranels. She stated the community is very fortunate to have these gentlemen. They have volunteered many hours to the Canal Project and to the boaters.

Mr. Stopper stated he has worked and had fun. Many tidings of great joy, he enjoyed talking about Lyons to the visitors. He presented the Board with many facts and figures. Over 100 people volunteered on the Canal Bank. There were people from the community and surrounding communities that helped with preparing the area for planting shrubs and plants, helping spread the mulch, people also assisted with pulling weeds, and mowing the grass.

Mr. McCranels stated boaters did not stop until the last half of the season due to the construction work. 500 individuals entered the village via boating this summer. Over 175 boaters docked at least one evening and signed in at the firehouse. This does not include those that came in after 9 P.M. and left before 7 A.M. or those that docked on the south side.

They discussed the major events of the season that the boaters enjoyed, the activities they attended, and the things the boaters liked about the community. They talked about some improvements that boaters would like to see from a survey that was given to them to complete. A handout was presented to the Village Board with everything they discussed. This is on file at the Village Office.

Mr. Stopper read from many of the books the boaters used to navigate and to plan their stops. There were many errors regarding our facilities and what we have to offer. He has sent updates and corrections to all of them.

Mayor Kleisle thanked both of them. She stated they went above and beyond with helping with the Canal Bank. We are still in the process of completing the bank. The Town of Lyons is assisting the Village with this. Benches and picnic tables have been ordered. The Village will order a bulletin board as money allows. She thanked Mr. Stopper for sending in the corrections to the publications.

Village Attorney, Arthur Williams, was given the Municipal Code book that was completed by General Code Publishers for his review. Mayor Kleisle asked him to give his general opinion on this and report back.

Attorney Williams also reported he spoke with Code Enforcement Officer, Jim Murphy. Mr. Murphy stated 35 Phelps Street has a few tidy up things that should be resolved by the next meeting.

Village Attorney, Arthur Williams, left at 7:01 P.M.

Mayor Kleisle introduced Supervisor Manktelow. Supervisor Manktelow stated during his campaign what he heard to be a major concern with the taxpayers is code enforcement. The Town of Lyons currently has someone at a part time capacity for 10 hours a week and the Village has someone who works 18 hours a week. The Town of Lyons would like to make this position a full time position for the community. They would like to do this jointly with the Village of Lyons with a start date of January 2011. Supervisor Manktelow would like a letter of intent from the Village Board.

Trustee Evangelist stated we need someone full time. This is something we need to do.

Mayor Kleisle stated the details need to be worked out.

Trustee Greco would like the hours established as to when the individual would work for the Village and when they would work for the Town.

Trustee VanStean would like this consolidated. He feels we need to set what is required in the job interview.

Councilman LaGasse suggested a small sub-committee be formed to work out the details.

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

RESOLVED that the Village of Lyons approves the concept of one full-time Code Enforcement Officer to work jointly with the Village of Lyons and the Town of Lyons.

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

A committee to work out the details for the full time Code Enforcement Officer was formed. It will include, Mayor Kleisle, Trustee VanStean, Supervisor Manktelow and Councilman LaGasse.

Trustee Alvaro commented he would like to see this individual with a properly marked vehicle and in uniform to confirm they are there on official business.

Sharon Lilla, Director of Wayne County Planning Department, was invited to discuss Sludge Vermi-Composting GIGP grant. This application is due 12/3/10. This grant will control and reduce our annual sludge disposal costs. 90% grant funds may be available for this project if the application is successful. Our current cost for sludge removal is \$60,000. The project involves installing sludge dewatering press at the treatment plant and acquiring a mobile sludge cake transport container. The dewatered cake will be taken once a week to the County recycling center, located in the Town of Arcadia. This sludge will be mixed with yard waste or shredded paper and red worms to make the Vermi-compost in existing trenches over 4 month storage period. This product has good potential for sale as organic fertilizer and used on the landscape applications. The objective is to reduce the annual cost of disposal and use the revenue from the sale of the product to offset the operational costs.

Trustee VanStean commented this is giving us one option. There are other options he has researched. He visited Sodus and how they dispose of their sludge costs them practically nothing. We are asked to make a decision without all the information. This grant will still involve transportation and man hours to process. There are other options. The process from this grant cannot be used on any agricultural product consumed by humans.

Ms. Lilla stated she wants what is best for the Village of Lyons. She was invited here to discuss this grant. Just let her know how we want to proceed and she will be ready to assist.

This was tabled until Mayor Kleisle gets more information. If necessary we will schedule a special meeting.

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

RESOLVED that the minutes of the regular meeting held on October 19, 2010 and special meeting held on October 21, 2010, November 2, 2010, be approved as submitted.

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

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

RESOLVED that the audit be approved as submitted. #429-#438 General, Water, and Sewer Fund \$153,072.96 #439-#521 General, Water, and Sewer Fund \$372,403.09, #522 Trust & Agency-Drug Forfeiture \$78.11, #523-#527 Capital Account-GIGP \$21,130.34, #528 Capital Account Canal \$2,813.05.

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

The Treasurer's report was given for November 2010, and placed on file for future information.

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

RESOLVED that permission is granted for the Mayor, Village Board, and Clerk-Treasurer to attend the Wayne County Village Officials meeting to be held November 17, 2010, hosted by the Village of Newark at Burnham's Canalside Restaurant. All expenses to be borne by the Village of Lyons.

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

Clerk-Treasurer, Denise Darcangelis, stated she received the 30-Day Advance Notice for the On-Premises Alcoholic Beverage License Application from Terry Hughes who will be opening Growlers Pub & Grill at 32 William Street. For Information Only.

The Clerk-Treasurer asked that a resolution be passed to transfer funds of \$15,457 from A1990.4 Contingency Account to A9015.8 the Police and Fire Retirement System to balance that account.

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

RESOLVED that the budget be amended for \$15,457 from A1990.4 Contingency to A9015.8 Police and Fire Retirement to balance that account.

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

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

RESOLVED that the Village Board be and hereby establishes the following as a standard work day for the Court Clerk for the purpose of determining days worked reportable to the New York State and Local Employees Retirement System, which is a five day work week, seven hour day.

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

The Clerk-Treasurer advised the service charge for a return check due to insufficient funds should be \$20.00 authorized under section 5-328 of the general obligations law.

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

RESOLVED that the Village of Lyons charge \$20.00 service charge for return checks to the Village due to insufficient funds or dishonored checks effective immediately.

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

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

WHEREAS, the Village of Lyons, State of New York, has made application for Community Development Block Grant (CDBG) funds from the State of New York; and

WHEREAS, in accordance to Section 519 of Public Law 101-144; the HUD Appropriations Act requires certain State of Assurances and Certifications;

NOW THEREFORE BE IT RESOLVED that pursuant to the Village of Lyons being granted CDBG funds by the State, the Village of Lyons, by administrative act, does adopt a statement of policy prohibiting the use of Excessive Force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstration.

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

Mayor Kleisle presented the monthly Justice report for October 2010. On file for future reference.

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

RESOLVED that authorization is given to Warren Wheaton, Richard Wunder, Mark Chadwick, Dave DeWolf and Mayor Kleisle to attend the Finger Lakes Water Works Conference Winter Meeting, to be held on December 2, 2010, at Burnham's Canalside Restaurant & Lounge in Newark. All expenses to be borne by the Village of Lyons.

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

Mayor Kleisle stated she has received communication from the Village Attorney who has checked with NYCOM on purchasing water from the Wayne County Water Authority. He stated the Department of Health needs to be notified which has been done. The Department of Health checked the operating reports for the Village of Lyons. Based on them, the Newark Village Water Treatment Plant has the capacity to produce the additional water and should have no problem supplying the additional quantity of water. The DOH noted the Village of Lyons has two options: elect to keep the well as an emergency source or choose to abandon the wells and remove all equipment.

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

RESOLVED that the Village Board has acknowledged the examination has been conducted for Village Justice and the audit report has been received.

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

Official notification has been received from the Office of the State Comptroller that the Village of Lyons has been selected for an audit of water and sewer operations, based on their risk assessment findings.

Mayor Kleisle reminded everyone of the open house and ribbon cutting will be held Saturday, November 20th from 1-4 P.M. at the Wastewater Treatment Plant for the GIGP project.

Mayor Kleisle explained the Village of Lyons must apply on behalf of the Chief of Police for a waiver with Civil Service. This waiver would allow him to work at his current salary and collect his New York State Retirement.

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

RESOLVED that authorization is granted for Mayor Kleisle to submit a 211 Waiver on behalf of Police Chief Michael Donalty to the State of New York Civil Service Commission.

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

Jerry Ashley, Lyons Main Street Manager, requested a street closure and for streets to be blocked off for the "Light Up Lyons Holiday Lights Parade" to be held December 4th.

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

RESOLVED that permission is granted for William Street north from the Elementary School to Broad Street to be closed from 4:15 P.M. to 5:30 P.M. to line up the parade and the following streets be blocked for the duration of the parade: Broad Street south from William to Church Street, Church Street east to William Street, and William Street north from Church Street to the Elementary School.

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

Trustee Evangelist presented the monthly police department report for October 2010. On file for future reference.

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

RESOLVED that authorization is granted for Mayor Kleisle and Chief Donalty to accept and execute the grant award contract for the Secure Our Schools grant in the amount of \$39,250.

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

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

RESOLVED that permission is granted for Chief Donalty to post and interview for a Sergeant's position to replace John Flock.

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

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

RESOLVED that permission is granted for Chief Donalty to canvass the Civil Service list and begin search for a new hire to replace a patrolman.

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

Trustee Evangelist reported a Public Nuisance violation notice has been sent to the property owner for 41 Phelps Street, Apartment 10.

Trustee Evangelist stated based on the communications with the landlords; the tenants are being evicted from 68 William Street, Apt 1 and 8 Rice Street. For information only.

Chief Donalty gave an update on crime stats. He stated crime is up 1% in New York State. He was pleased to report we were down 10% for the first 6 months of the year and down 13.5% through October. Chief Donalty attributes this to more police officers on the road. People in the Village are reporting more incidents with better descriptions. The quality of life has helped too.

Trustee Alvaro reported the Department of Public Works has been working on brush pick up and maintenance of vehicles.

Trustee Greco presented the Lyons Fire Department monthly report for the month of October, 2010. On file for future reference.

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

RESOLVED that the Village Board affirms the Honorable Discharge of Andrew Richardson from the Lyons Fire Department due to lack of training hours.

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

Trustee questioned why the decorative sprayer was taken off the fountain on the west end. It was explained that sprayer was getting plugged and not allowing the water to flow.

Mayor Kleisle stated Peg Churchill, Wayne County Industrial Development Agency, would like the Village of Lyons to contribute to a study for the Port of Lyons, The County has committed to contribute, the Town has budgeted \$12,000 for this study.

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

RESOLVED that the Organizational Meeting be held on Tuesday, December 7, 2010, directly after the Public Hearing for Local Law 2-2010 adopting new building permits and inspection fees.

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

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

RESOLVED that the meeting be adjourned.

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

Meeting adjourned at 8:44 P.M.

Denise Darcangelis, Clerk-Treasurer