

**Regular meeting of the Trustees, Village of Lyndonville was held on Monday, January 11, 2016 at the Village Hall. Meeting opened at 6:00 p.m.**

PRESENT: Deputy Mayor: James Tuk  
Trustees: Charles Covell  
Ellen Tuohey  
Danny Woodward Jr.  
Clerk-Treasurer Teri Woodworth  
Supt. of Public Works Terry M. Woodworth  
Code Enforcement Officer  
Attorney David Schubel  
Fire Chief Scott Buffin  
Public: Mike Heideman, Andrew Grochowski, Michael Busch, Brent Oliver, Melanie Oliver, Keith Oliver Jr., Bill Oliver and Jennifer Terry

**APPROVAL OF THE MINUTES**

**ON MOTION** of Trustee Tuohey, seconded by Trustee Covell, to accept the minutes of the December 14, 2015 regular meeting.

Vote: 4 Ayes (Covell, Tuk, Tuohey, Woodward Jr.); 0 Nays; 0 Abstain

**PRIVILEGE OF THE FLOOR:**

- Jennifer Terry informed the Board that she's still staying on track with paying the \$150.00 as promised. Her next payment will be made on January 15, 2016 for \$200.00 and the remainder of \$104.82 will be paid on February 19, 2016. Trustee Covell inquired if Ms. Terry plans on winterizing the home. Ms. Terry stated she decided not to winterize the home and instead is just going to turn the heat back up.
- Boy scouts Troop 25 presented to the Board they would like to take on a project of building a 28' x 30' deck in Patterson Park on the old boat house foundation. Troop 25 will have the deck plans designed by an engineer. The Board advised they will have Chatfield Engineer's P.C. review the plans prior to any building. Troop 25 inquire if they Village would be able to contribute any of the building materials needed for the project. Superintendent Woodworth asked the Troop to put together a list of materials and the Village will help with what they can otherwise he recommended the Troop present the plans to the Lyndonville Area Foundation to see if they are able to financially assist.

**RESOLUTION NO 2016-1**

**APPROVAL OF BUILDING A DECK IN PATTERSON PARK BY THE BOY SCOUTS**

**ON MOTION** of Trustee Tuohey, seconded by Trustee Covell to approve the Boy scouts Troup 25 to move forward with obtaining plans for building a deck in Patterson Park.

Vote: 4 Ayes (Covell, Tuk, Tuohey, Woodward Jr.); 0 Nays; 0 Abstain

**Report – Fire Chief Buffin**

- Report – 205 Calls for 2015, 18 Calls for December (9 – EMS Town, 3 – EMS Village, 2 – Good Intent, 1 – Hazardous Condition, 1 – Brush Fire, 1 – Vehicle Fire in the Town and 1 – Service Call)
- Ladder tests were completed last week.
- Pump maintenance was completed the first week of January. During that testing it was discovered that Lyndonville #31 had four broken leaf springs and a fuel leak. Lyndonville #31 has been taken out of service and was taken to Buffalo Spring for an estimate on repairs.
- Training – two members have completed EMT training, Larry Lonigan and Ben Bane.
- Chief Buffin would like to schedule a meeting in February with the Village to discuss what the Village expects of the Fire Department.
- The Fire Department is applying for a grant that will assist with purchasing of SCBA bottles. Jay Grosso is assisting with applying for the grant. The application cost is \$375.00 and if the Fire Department is awarded the grant they will have to pay the grant writer 4%. They won't know until May or June if they get the grant or not but the grant writer says it looks favorable.
- Deputy Mayor Tuk asked that the Public Safety Committee meet regularly.
- Clerk Treasurer Woodworth asked to meet with the Chief and President to discuss new members process and procedure as everything needs to go through the Village due to insurance reasons.

**Report – Code Enforcement**

- Nothing - Clerk-Treasurer Woodworth noted that several things are building up that need to be addressed by Code Enforcement. Also the Village of Medina and Code Enforcement Officer Marty Busch are not interested in back up or covering the Village of Lyndonville, therefore Clerk-Treasurer Woodworth requested that the Board rescind resolution 2015-147.

**RESOLUTION NO 2016-2**

**RESCIND RESOLUTION 2015-147 MUNICIPAL COOPERATION AGREEMENT SUPPLEMENTAL ADMINISTRATION OF NYS UNIFORM CODE AND ZONING**

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**ON MOTION** of Trustee Tuohey, seconded by Trustee Woodward Jr. to rescind resolution 2015-147 municipal cooperation agreement supplemental administration of NYS uniform code and zoning with the Village of Medina and Marty Busch.

Vote: 4 Ayes (Covell, Tuk, Tuohey, Woodward Jr.); 0 Nays; 0 Abstain

**Report – Attorney Schubel**

- Old Crosby Whipple building, Attorney Schubel has left a message and if he receives no response he'll follow up with a letter.
- Relevy agreement – Attorney Schubel is working on an agreement with the Town of Yates to relevy unpaid water for residents on the North Lyndonville Road and South Lyndonville Road line.
- Joint Planning Board – The Town of Yates is willing to consider a joint Planning Board with the Village.
- Signs – Attorney Schubel is working on amending the Zoning Local Law on signage and any other changes the Board and Clerk-Treasurer Woodworth can provide.
- Cats - Clerk-Treasurer Woodworth received a phone call from Sheila Foote inquiring where the Village stands with addressing the cat situation on Eagle Street. Clerk-Treasurer Woodworth noted that Ms. Leonard's yard had been cleaned up considerably and the amount of cats has decreased. The Board discussed how to enforce stray homeless cats. Attorney Schubel will check with the new Orleans County Sherriff to see if there will be any changes coming with Animal Control addressing cats. The Board discussing drafting a Local Law regarding cats that would include some already established New York State laws on cats. Clerk-Treasurer Woodworth asked Attorney Schubel if he would send out a written response to those whom submitted written complaints and update them on the situation.

**Report – Clerk-Treasurer Woodworth**

- Police Report - Confirmed everyone received Officer Larkin's police report.
- Logics is all setup, Clerk-Treasurer Woodworth just needs to load all of the Village's financial data from June 1, 2015.
- Elections – Village registration day, polling place and elections inspectors for the March 15, 2016 election.

**RESOLUTION NO 2016-3**

**VILLAGE REGISTRATION DAY**

**ON MOTION** of Trustee Tuohey, seconded by Trustee Woodward Jr., that the Village of Lyndonville will not have a registration day for the March 15, 2016 Election.

Vote: 4 Ayes (Covell, Tuk, Tuohey, Woodward Jr.); 0 Nays; 0 Abstain

- Polling Place - The Board discussed the polling location and time.

**RESOLUTION NO 2016-4**

**POLLING PLACE FOR THE VILLAGE OF LYNDONVILLE MARCH 15, 2016 ELECTION**

**ON MOTION** of Trustee Woodward Jr., seconded by Trustee Tuohey, to set the polling place and hours for the Village of Lyndonville Village Election on March 15, 2016 to be as follows, the hours of 12:00pm (noon) to 9:00pm and the location to be at the Village Hall 2 South Main Street, Lyndonville, NY 14098.

Vote: 4 Ayes (Covell, Tuk, Tuohey, Woodward Jr.); 0 Nays; 0 Abstain

- Election Inspectors - Clerk-Treasurer Woodworth asked to Board to approved Carla Woodworth, Sherri Manning, Patricia Gawne and Beth Malone for the election inspectors for the March 15, 2016 Village election. The Board discussed compensation for the election inspectors.

**RESOLUTION NO 2016-5**

**ELECTION INSPECTORS FOR THE MARCH 15, 2016 ELECTION**

**ON MOTION** of Trustee Woodward Jr., seconded by Trustee Tuohey, to appoint Carla Woodworth chairman, Sherri Manning, Patricia Gawne and Beth Malone as the election inspectors for the March 15, 2015 Village Election and to set their hourly rate of pay at \$9.00 per hour.

Vote: 4 Ayes (Covell, Tuk, Tuohey, Woodward Jr.); 0 Nays; 0 Abstain

- Notice of Claim – The Village has received a notice of claim for an individual who tripped/fell at 285 North Main Street on October 12, 2015. Clerk-Treasurer Woodworth has forwarded the notice to Attorney Schubel and Tompkins Insurance/Selective Insurance for review.
- Vouchers – Abstract A8 #10476 - 10522 to be paid

General	\$ 10,518.75
Water	\$ 23,172.90
Sewer	\$ <u>3,446.77</u>

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**Grand Total                    \$ 37,138.42**

**RESOLUTION NO 2016-6**  
**VOUCHERS TO BE PAID FOR ABSTRACT A8-2016**

**ON MOTION** of Trustee Tuohey, seconded by Trustee Covell to have Clerk-Treasurer Woodworth to pay Abstract A8 Vouchers #10476 - 10522.

Vote: 4 Ayes (Covell, Tuk, Tuohey, Woodward Jr.); 0 Nays; 0 Abstain

**Report – Superintendent Woodworth**

- Chatfield Engineers P.C. – Superintendent Woodworth spoke to John Paul Schepp about the design for the two flood gates. Also he spoke with John Hinman and he’s just waiting for the signed paper to start moving forward on the project.
- Veterans Park – Superintendent Woodworth received a quote from Land Tech Surveying & Planning P.L.L.C for \$ 2,800.00 to survey Veterans Park. Superintendent Woodworth and the Board agreed to obtain some more quotes as they felt \$2800.00 was high.
- Shared Services Agreement with NYSDOT:

**SHARED SERVICES AGREEMENT**  
**Between**  
**NYSDOT and Village of Lyndonville**

THIS AGREEMENT, dated January 11, 2016, is between the People of the State of New York, hereinafter referred to as "State" or "NYSDOT" and the Village of Lyndonville, hereinafter referred to as "Municipality." Pursuant to Section 99-r of the General Municipal Law, the State and the Municipality wish to share services, exchange or lend materials or equipment which shall promote and assist the maintenance of State and Municipal roads and highways and provide a cost savings by maximizing the effective utilization of both parties' resources. The State and the Municipality agree to share services as follows:

1. Description and Cost of Services, Materials or Equipment to be shared: Provide details of the services, materials or equipment to be shared in the attached standard Schedule A. The total amount of the agreement shall not exceed ten thousand dollars (\$10,000.00). If applicable, indicate that the return exchange will be determined at a later date.
2. The Provider's employees shall remain under full supervision and control of the Provider. The parties shall remain fully responsible for their own employees for all matters, including but not limited to, salary, insurance, benefits and Workers Compensation.
3. If the borrowed machinery or equipment is damaged or otherwise needs repair arising out of or in connection with the Recipient's use, the Recipient shall be responsible for such repairs.
4. The Municipality agrees to indemnify the State for any and all claims arising out of the Municipality's acts or omissions under this Agreement.
5. The term of this Agreement shall be for one (1) year. The parties will endeavor to provide no less than thirty (30) days' notice of its intent to extend the Agreement. Either party may revoke this Agreement by providing sixty (60) days written notice of such revocation. Upon revocation, any outstanding obligations of the parties must be satisfied within thirty (30) days of the date of such revocation.

**SCHEDULE A**

**NYSDOT**

Description of services, materials, or equipment (Check All that apply) to be shared:  
Emergency assistance, including snow and ice control pursuant to Highway Law Section 55, as may be needed and agreed to by the Department of Transportation.  
Estimated Cost/Value of Service Equipment Materials (Check All that apply):

Total NYSDOT Cost/Value: Not to exceed \$10,000.

**MUNICIPALITY**

Description of services, materials, or equipment (Check All that apply) to be shared:  
To be determined based on services and materials provided by the Department of Transportation.

Estimated Cost/Value of Service Equipment Materials (Check All that apply):  
Total MUNICIPALITY Cost/Value: \_Not to exceed \$10,000

**RESOLUTION NO 2016-7**  
**SHARED SERVICES AGREEMENT WITH NYSDOT**

**ON MOTION** of Trustee Covell, seconded by Trustee Tuohey to accept and enter into the Shared Services Agreement with NYSDOT as it reads.

Vote: 4 Ayes (Covell, Tuk, Tuohey, Woodward Jr.); 0 Nays; 0 Abstain

- 11315 Roosevelt Highway, high water bill – Superintendent Woodworth informed the Board that the week of January 4<sup>th</sup> Sidney Thaine came into the Village Hall to express his concerns regarding a high water bill, 39,000 gallons. Superintendent Woodworth found that the meter pit has a leaky valve. The Village has since replaced

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the valve. The Board discussed reducing the bill to charge for 18,000 gallons since the valve is the Village's responsibility. Mr. Thaine did make a payment of \$125.10 on January 8, 2016 which is the amount due for 18,000 gallons. Clerk-Treasurer Woodworth advised that Mr. Thaine was informed if the Board made any adjustments it would be one time.

**RESOLUTION NO 2016-8**

**ONE TIME WATER BILL ADJUSTMENT FOR 11315 ROOSEVELT HIGHWAY**

**ON MOTION** of Trustee Woodward Jr., seconded by Trustee Covell to make a one-time adjustment to 11315 Roosevelt Highway's water bill due to a faulty valve owned by the Village, to charge RO-11315 for 18,000 gallons (\$125.10) and to authorize Clerk-Treasurer Woodworth to issue a credit in the amount of \$160.55 to the account for the approved one-time adjustment.

Vote: 4 Ayes (Covell, Tuk, Tuohey, Woodward Jr.); 0 Nays; 0 Abstain

**Report – Trustee Tuohey**

- Nothing

**Report – Trustee Woodward Jr.**

- Nothing

**Report – Trustee Covell**

- Water Rate Agreement – Trustee Covell would like to start working on the Water Rate Assessment with the Town of Yates. Clerk-Treasurer Woodworth mentioned she would like to verify the numbers used for the analysis since there seems to be a decrease in the cost according to Chatfield Engineer's proposal. The Board also mentioned discussing with the Town of Yates assistance needed for maintenance on the Water Tower. Superintendent Woodworth noted he will get a quote from USG on a maintenance program for the next workshop.

**Report – Deputy Mayor Tuk**

- Lyndonville Area Foundation – Deputy Mayor Tuk met with the Lyndonville Area Foundation and discussed some upcoming projects the Village needs to address. The Foundation is willing to assist the projects; they will require more information before moving forward.
- Cameras – Clerk-Treasurer Woodworth will contact IT rep Bill Belson to obtain a quote on installing more cameras in the Village.

**OLD BUSINESS:**

- West Avenue Sidewalks – Superintendent Woodworth noted the mud on the sidewalk was scraped off and cones were put up. The Board discussed whether it should be made a no parking area or not.

**NEW BUSINESS:**

- Close Bank Accounts – Clerk-Treasurer Woodworth presented the Board with closing the Sewer Capital and Operations checking accounts at M&T Bank. With the new accounting software multiple accounts are not needed for issuing checks. Clerk-Treasurer Woodworth has already confirmed this with the State Comptroller's Office and The Bonadio Group. The Operations bank account won't be closed until all the checks have cleared.

**RESOLUTION NO 2016-9**

**CLOSE THE SEWER CAPITAL CHECKING ACCOUNT WITH M&T BANK**

**ON MOTION** of Trustee Woodward Jr., seconded by Trustee Tuohey to authorize Clerk-Treasurer Woodworth to close the Sewer Capital checking account with M&T Bank.

Vote: 4 Ayes (Covell, Tuk, Tuohey, Woodward Jr.); 0 Nays; 0 Abstain

**RESOLUTION NO 2016-10**

**CLOSE THE OPERATIONS CHECKING ACCOUNT WITH M&T BANK**

**ON MOTION** of Trustee Covell, seconded by Trustee Woodward Jr. to authorize Clerk-Treasurer Woodworth to close the Operations checking account with M&T Bank once all the checks have cleared.

Vote: 4 Ayes (Covell, Tuk, Tuohey, Woodward Jr.); 0 Nays; 0 Abstain

- Bonadio Responses – Clerk-Treasurer Woodworth and Deputy Mayor Tuk will send written responses to the Bonadio Groups findings. Deputy Mayor Tuk noted the finding regarding the Sewer Fund being short on funds, he stated he aware of this however unfortunately he doesn't see how rates can be increased with the restrictions of the tax freeze.
- DEC Meeting – Superintendent Woodworth noted he attended the meeting regarding the cleanup at Monroe Electronics. The DEC will be doing a cleanup; however, the case is still open for comments at this time so the plans as to the extent or timing of the cleanup are unknown at this time.

**ON MOTION** of Trustee Covell, seconded by Trustee Woodward Jr., to adjourn the meeting at 8:01 p.m.

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Vote: 4 Ayes (Covell, Tuk, Tuohey, Woodward Jr.); 0 Nays; 0 Abstain

*Teri Woodworth*  
Clerk-Treasurer