

**Regular meeting of the Trustees, Village of Lyndonville was held on Monday, December 4, 2017 at the Village Hall. Meeting opened at 6:00 p.m.**

PRESENT: Mayor: John Belson  
Deputy Mayor: Danny Woodward Jr.  
Trustees: Andrew Cousins  
Anne Marie Holland  
Mary Kage - Absent  
Clerk-Treasurer Teri Woodworth - Excused  
Clerk PT Ginny Nicholson  
Supt. of Public Works Terry M. Woodworth - Excused  
Code Enforcement Officer Dan Wolfe - Absent  
Attorney Katherine Bogan  
Fire Chief Ben Bane  
Public:

**APPROVAL OF THE MINUTES**

**ON MOTION** of Trustee Cousins seconded by Trustee Woodward Jr., to accept the minutes of the November 6, 2017 Regular meeting.

Vote: 4 Ayes (Belson, Cousins, Holland, Woodward Jr.); 0 Nays; 0 Abstain

**USE OF FACILITIES**

- Fire Hall - Mike Heideman is requesting use of the Fire Hall for a birthday party on December 17, 2017 from 11:00am to 5:00pm.

**RESOLUTION NO 2017-104**

**USE OF FACILITIES – MIKE HEIDEMAN**

**ON MOTION** of Trustee Woodward Jr., seconded by Trustee Holland to approve the use of facilities for the Mike Heideman as requested.

Vote: 4 Ayes (Belson, Cousins, Holland, Woodward Jr.); 0 Nays; 0 Abstain

**Report – Code Enforcement**

- Mayor Belson confirmed everyone received Code Enforcement Wolfe's report

**Report – Fire Chief Bane**

- Report - 219 Calls for 2017; 14 Calls for November (2 - EMS Village, 7 - EMS Town, 2 - FAST Team Medina, 1 - Fire Alarm Village, 1 - Tree Down Town and 1 - Grass Fire Town)
- Chief Bane noted tonight is the Fire Department Elections.

**Report – Attorney Bogan**

- Mayor Belson inquired about changing the zoning to allow for apartments in the Central Business District due to the potential desire to put apartments in part of the old Pennysaver building. Attorney Bogan recommended not to make any changes to the zoning at this time, that a formal plan must be submitted for the building first.
- Attorney Bogan inquired if the Village camera's are able to hold recordings longer than one week. Clerk PT Nicholson will ask Clerk-Treasurer Woodworth to look into the recording time.
- Attorney Bogan noted something should be done to prevent individuals from climbing on the gong in Veterans Park for the Christmas in Lyndonville event for safety reasons.
- Attorney Bogan inquired if the Board was aware of the new Orleans County Dog Ordinance, she noted the Village's are exempt from the ordinance.

**Report – Clerk-Treasurer Woodworth - Given by Clerk PT Nicholson**

- Police Report - Confirmed everyone received Officer Larkin's police report.
- Vouchers – Abstract A6-1 and Abstracts 7 #12002 - 12055 to be paid

General	\$	15,599.01
Water	\$	7,798.01
Sewer	\$	5,070.46
<b>Grand Total</b>	<b>\$</b>	<b>28,467.48</b>

**RESOLUTION NO 2017-105**

**VOUCHERS TO BE PAID FOR ABSTRACT A6-1 AND ABSTRACT A7**

**ON MOTION** of Trustee Cousins seconded by Trustee Woodward Jr. to have Clerk-Treasurer Woodworth pay Abstract A6-1 and Abstracts A7 #12002 - #12055.

Vote: 4 Ayes (Belson, Cousins, Holland, Woodward Jr.); 0 Nays; 0 Abstain

**Report – Superintendent Woodworth**

- Nothing - Excused

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**Report – Trustee Kage**

- Nothing - Absent

**Report – Trustee Woodward Jr.**

- Trustee Woodward Jr. thanked everyone at the Fire Department and stated he looks forward to a new year.

**Report – Trustee Cousins**

- Nothing

**Report – Trustee Holland**

- Trustee Holland noted what a big success Christmas in Lyndonville was and thanked everyone involved for all their hard work.

**Report – Mayor Belson**

- Mayor Belson inquired what would be needed to have food trucks start coming into the Village for concerts in Veterans Park and during the fishing seasons. Attorney Bogan noted she will look into what the Village currently has for permits, may possibly need a use permit.
- Use of Facilities - The Board discussed charging a \$50.00 fee for use of the Fire Hall for non-members, the fee would be non-refundable. Also the request must be submitted 30 days in advance. The Board noted the \$50.00 non-refundable fee will be put into the Fire Departments NYCLASS reserve account at the end of each fiscal year.

**RESOLUTION NO 2017-107**

**USE OF FACILITIES NON-REFUNDABLE FEE FOR USE OF THE LYNDONVILLE FIRE HALL**

**ON MOTION** of Trustee Holland seconded by Trustee Cousins to approve a \$50.00 non-refundable fee be charged for use of the Lyndonville Fire Hall for all non-members and that all non-refundable fees received for use of the Lyndonville Fire Hall be transferred into the Fire Reserve account at NYCLASS at the end of each fiscal year.

Vote: 4 Ayes (Belson, Cousins, Holland, Woodward Jr.); 0 Nays; 0 Abstain

- Mayor Belson noted on November 27, 2017 he met with several individuals while doing a walkthrough of the old Pennysaver building. The potential buyer of the building would like to come back in March with a PowerPoint presentation of their proposed plan for the building.
- Mayor Belson thanked the Lyndonville Fire Department for their participation in Christmas in Lyndonville and also winning at the Medina Light Parade.

**OLD BUSINESS:**

- Nothing

**NEW BUSINESS:**

- New Fire Department Member - Keith Oliver - Fire Police only

**RESOLUTION NO 2017-108**

**NEW FIRE DEPARTMENT MEMBER KEITH OLIVER**

**ON MOTION** of Trustee Holland seconded by Trustee Woodward Jr. to approve Keith Oliver as a Fire Police only member of the Lyndonville Fire Department.

Vote: 4 Ayes (Belson, Cousins, Holland, Woodward Jr.); 0 Nays; 0 Abstain

- Removal of Auxiliary Member Robin Woolley due to the proper application policy was not followed.

**RESOLUTION NO 2017-109**

**REMOVAL OF AUXILIARY MEMBER ROBIN WOOLLEY**

**ON MOTION** of Trustee Cousins seconded by Trustee Holland to remove Robin Woolley from the Lyndonville Fire Department Auxiliary due to the proper application policy was not followed and the required documents haven't been provided to the Village.

Vote: 4 Ayes (Belson, Cousins, Holland, Woodward Jr.); 0 Nays; 0 Abstain

- Planning Board Members - Virginia Hughes term expired October 3, 2017, requesting she be reappointed for a term of one year. The Board will address the training issue for Planning Board member's Steven Grabowski and Patrick McKenna at the January 2, 2018 Board meeting.

**RESOLUTION NO 2017-110**

**PLANNING BOARD REAPPOINTMENT VIRGINIA HUGHES**

**Regular meeting of the Trustees, Village of Lyndonville was held on Monday, December 4, 2017 at the Village Hall. Meeting opened at 6:00 p.m.**

**ON MOTION** of Trustee Cousins seconded by Trustee Holland to reappoint Virginia Hughes as the alternate of the Village Planning Board for the term of one year.

Vote: 4 Ayes (Belson, Cousins, Holland, Woodward Jr.); 0 Nays; 0 Abstain

- Urging the New York State Congressional Delegation to preserve the Federal Income Tax Deduction for State and Local Taxes

**RESOLUTION NO 2017-111**

**URGING THE NEW YORK STATE CONGRESSIONAL DELEGATION TO PRESERVE THE FEDERAL INCOME TAX DEDUCTION FOR STATE AND LOCAL TAXES**

WHEREAS, Congress is proposing significant reforms to the federal tax system; and

WHEREAS, under current federal law there is a deduction for state and local taxes and this deduction has been in place since the federal income tax was instituted in 1913; and

WHEREAS, the deductibility of these taxes prevents double taxation, since state and local taxes are mandatory payments; and

WHEREAS, states and local governments use revenues from property, income, sales and other locally generated resources to finance infrastructure, pay for K-12 education, support higher education and job training, provide for public safety and health, and implement a large array of federally mandated health and human service programs; and

WHEREAS, the deductibility of these state and local taxes allows them to maintain authority over local tax structures that support the public good; and

WHEREAS, eliminating the deductibility of state and local taxes would represent double taxation on all Americans, a principle strongly rejected throughout the rest of the federal tax code; and

WHEREAS, in 2015, nearly 96 percent of all federal income tax itemizers took the state and local deduction; and

WHEREAS, over 36 million individuals and families making under \$200,000 claimed this deduction in 2015; and

WHEREAS, the families taking this deduction accounted for 53 percent of the total amount of double taxation avoided in 2015; and

WHEREAS, in New York State as of 2014, over 34 percent of taxpayers itemize their federal income taxes, claiming \$67 billion in deductions for state and local taxes, representing over 13 percent of all state and local tax deductions claimed nationwide; and

WHEREAS, New Yorkers claim the highest average deductions of any state in the nation, at \$36,000, on their federal income taxes, with more than two-thirds of these deductions related to state and local taxes; and

WHEREAS, eliminating the federal deductibility of state and local taxes will imperil the delivery of public services in New York, many of which are mandated by the federal government, and may increase the effective federal income tax rate for many New Yorkers; and

WHEREAS, New York State has been a "donor" state for federal income tax purposes for decades, meaning we pay far more in taxes to the federal government than we get back in federal payments and grants; and

WHEREAS, this consistent "donor" status requires the state to raise more revenues locally via state and local taxes to help pay for necessary services and infrastructure for state residents, and to finance federally mandated programs because federal revenues are insufficient to cover the costs of these local services as well as pay for federally mandated programs, regulations, and rules; now be it

RESOLVED, the Orleans County Legislature calls on the New York State Congressional Delegation to preserve the federal deductibility of state and local taxes to prevent double taxation and to ensure New York's "donor" state status with the federal government is not made worse; and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this resolution to the President of the United States Donald Trump, Governor Andrew M. Cuomo, Congressman Chris Collins, Senator Robeti Ort; Assemblyman Steve Hawley, Assemblyman Michael Non is, Orleans County Towns and Villages, and all others deemed necessary and proper.

**ON MOTION** of Trustee Cousins seconded by Trustee Woodward Jr. to support Urging the New York State Congressional Delegation to Preserve the Federal Income Tax Deduction for State and Local Taxes

Vote: 4 Ayes (Belson, Cousins, Holland, Woodward Jr.); 0 Nays; 0 Abstain

**ON MOTION** of Trustee Holland, seconded by Trustee Woodward Jr., to adjourn the meeting at 6:30 pm.

Vote: 4 Ayes (Belson, Cousins, Holland, Woodward Jr.); 0 Nays; 0 Abstain

*Virginia Nicholson*  
Clerk Part-Time