

**Regular meeting of the Trustees, Village of Lyndonville was held on Monday, April 1, 2019 at the Village Hall.
Meeting opened at 6:00 PM**

PRESENT:	Mayor:	John Belson - Absent
	Deputy Mayor:	Danny Woodward Jr.
	Trustees:	Andrew Cousins Kimberly Kenyon Darren Wilson
	Clerk-Treasurer	Teri Woodworth
	Supt. of Public Works	Terry M. Woodworth
	Code Enforcement Officer	Dan Wolfe - Absent
	Attorney	Katherine Bogan
	Fire Chief	Ben Bane
	Public:	Jim Tuk, Carla Woodworth, John Champlin and Barb Champlin

APPROVAL OF THE MINUTES

ON MOTION of Trustee Wilson seconded by Trustee Cousins, to accept the minutes of the March 4, 2019 regular meeting.

Vote: 4 Ayes (Cousins, Kenyon, Wilson, Woodward Jr.); 0 Nays; 0 Abstain

PRIVILEGE OF THE FLOOR

- Carla Woodworth asked the Board if they would like her to plant the planters on Main Street again this year.

RESOLUTION NO 2019-43

APPROVAL FOR CARLA WOODWORTH TO PLANT THE PLANTERS ON MAIN STREET FOR 2018

ON MOTION of Trustee Cousins, seconded by Trustee Wilson to approve Carla Woodworth to plant the planters on Main Street for 2019.

Vote: 4 Ayes (Cousins, Kenyon, Wilson, Woodward Jr.); 0 Nays; 0 Abstain

USE OF FACILITIES

- Lake Avenue Ball Fields – Loyal Soccer is requesting use of the Lake Avenue Ball Fields from July 1, 2019 to August 1, 2019 for soccer practices and games. The Loyal Soccer will provide a schedule and insurance to Clerk-Treasurer Woodworth once finalized.

RESOLUTION NO 2019-44

USE OF FACILITIES – LOYAL SOCCER

ON MOTION of Trustee Cousins, seconded by Trustee Kenyon, to approve the use of facilities for Loyal Soccer as requested pending Clerk-Treasurer Woodworth receives the required schedule and insurance prior to July 1, 2019.

Vote: 4 Ayes (Cousins, Kenyon, Willson, Woodward Jr.); 0 Nays; 0 Abstain

Report – Fire Chief Bane

- Report – 35 Calls for 2019; 10 Calls for March (4 – EMS Town, 2 – Grass Fires Town, 1 – Animal Rescue Town, 1 – Lift Assist Town, 1 – Water Problem Village and 1 – Water Problem Town)
- Trustee Woodward Jr. noted the new rescue tool has been put into place. Superintendent Woodworth inquired what will be done with old tool.

Report – Code Enforcement Wolfe

- No report was provided – Clerk-Treasurer Woodworth noted Code Enforcement Wolfe will be on vacation until April 18, 2019.

Report – Attorney Bogan

- Attorney Bogan noted she drafted a policy for water/sewer abatement to be presented to the Board for review. Trustee Wilson informed the Board he drafted up a policy as well as he agreed to do from the last meeting. Attorney Bogan will review Trustee Wilson’s policy.
- Attorney Bogan mentioned the Planning Board asked if their certificate of appropriateness application needed Board approval. Attorney Bogan noted no approval was needed that the application is acceptable and already in use by the Code Enforcement.
- Attorney Bogan presented the Board of the Planning Board’s recommendation with regards to the domestic animal ordinance/animal harboring recommendation. Per Attorney Bogan the Planning Board recommends no action at this time.
- Attorney Bogan noted the Planning Board proposed a few changes to the Village’s current zoning law with regards to electronic fences for dogs. Attorney Bogan noted that the changes would apply to the Village’s current dogs running at large local law not the Village’s zoning however she didn’t feel the request was necessary based on the way the current laws are written. Village resident Carla Woodworth mentioned that was originally brought to the Board with regards to the set backs from the sidewalk on invisible fences, to prevent dogs from coming so close to the sidewalk. Trustee Wilson will go back to the Planning Board to see if they want to update the dogs running at large local law to include electronic fences.

Report – Clerk-Treasurer Woodworth

**Regular meeting of the Trustees, Village of Lyndonville was held on Monday, April 1, 2019 at the Village Hall.
Meeting opened at 6:00 PM**

- Clerk-Treasurer Woodworth confirmed everyone received Officer Larkin's Police Report.
- Clerk-Treasurer Woodworth mentioned the upcoming training for Planning and Zoning Boards. Trustee Wilson will take the information back to the Planning Board.
- Clerk-Treasurer Woodworth shared the Village's Fiscal Stress score of 8.3 no designation and Environmental Stress score of 13.3 no designation.
- Vouchers – Abstract A10-1 & A11 #13287 – 13349 to be paid

General	\$	21,474.60
Water	\$	8,085.01
Sewer	\$	<u>10,225.44</u>
Grand Total	\$	39,785.05

RESOLUTION NO 2019-45

VOUCHERS TO BE PAID FOR ABSTRACT A10-1 & A11

ON MOTION of Trustee Wilson, seconded by Trustee Cousins, to have Clerk-Treasurer Woodworth pay Abstract A10-1 & A11 #13287 – 13349.

Vote: 4 Ayes (Cousins, Kenyon, Wilson, Woodward Jr.); 0 Nays; 0 Abstain

Report – Superintendent Woodworth

- Dam Project – Superintendent Woodworth noted the DEC has approved the required permits for the Dam project. Superintendent Woodworth will meet with Engineers and the DEC this week.
- Superintendent Woodworth thanked the Orleans County Highway Department and the Town of Yates for helping cut down some trees and grinding the stumps.
- New Tractor – Superintendent Woodworth noted the new tractor is still having issues holding a charge and will be going back to Bentley Bros for servicing.

Report – Trustee Cousins

- Crossing Guard – Trustee Cousins asked where things stood with the inquiry from the PTSA of getting a crossing guard. It was noted that Mayor Belson was working on it with Lyndonville Central School Superintendent Jason Smith.

Report – Trustee Wilson

- Dam Project – Trustee Wilson noted the Lyndonville Area Foundation is giving \$65,000.00 toward the Dam project, he requested that the Foundation be given at least 10 business days' notice when the funds will be needed.

Report – Trustee Woodward Jr.

- Radio Tower – Trustee Woodward Jr. inquired how things were going on the proposed radio tower. Attorney Bogan noted she has received the deed and she will begin drafting the ground lease agreements this week.
- Trustee Woodward Jr. welcomed newly elected Trustee Kimberly Kenyon to the Board.

Report – Trustee Kenyon

- Nothing

Report – Mayor Belson

- Nothing - Absent

OLD BUSINESS:

- Local Law 2019-1 - Mobile Food Vendor – The Board inquired if any feedback back been submitted to the Mayor.

RESOLUTION NO 2019-46

LOCAL LAW 2019-1 – MOBILE FOOD VENDOR: REGULATIONS OF THE VILLAGE OF LYNDONVILLE

ON MOTION of Trustee Cousins, seconded by Trustee Wilson, to adopt Local Law 2019-1 Mobile Food Vendor: Regulations of the Village of Lyndonville.

Vote: 4 Ayes (Cousins, Kenyon, Wilson, Woodward Jr.); 0 Nays; 0 Abstain

NEW BUSINESS:

- 2019/2020 Appointments: Clerk-Treasurer Woodworth noted the requests from the workshop have been made.

RESOLUTION NO 2019-47

2019/2020 APPOINTMENTS

ON MOTION of Trustee Wilson, seconded by Trustee Kenyon, to accept the following appointments and resolutions:

APPOINTMENTS

Budget Officer

Teri M. Woodworth

**Regular meeting of the Trustees, Village of Lyndonville was held on Monday, April 1, 2019 at the Village Hall.
Meeting opened at 6:00 PM**

Chief of Police	John Belson
Code Enforcement Officer	Daniel Wolfe
Communications Technology Coordinator	Andrew Cousins
Deputy Registrar of Vital Statistics	Virginia Nicholson
Fair Housing Officer	Darren Wilson
Fire Department Liaison	Danny Woodward Jr.
Fire Department Records Officer	Teri M. Woodworth
Grants Managers	MRB Group & LaBella Associates
Historian	Teri M. Woodworth
Legion & VFW Liaison	Darren Wilson
Lions Club Liaison	Danny Woodward Jr.
Orleans County Planning Board	Kelly Cousins, Alternate Chad Arlington
Parking Lots & Streets	John Belson
Parks & Pond	Darren Wilson
Planning Board Liaison	Darren Wilson
Public Safety Committee	John Belson & Danny Woodward Jr.
Records Management Officer	Teri M. Woodworth
Registrar of Vital Statistics	Teri M. Woodworth
Safety Officer	Terry M. Woodworth
Senior Citizens Rep	Kimberly Kenyon
Sewer (Sanitary & Storm)	John Belson
Sexual Harassment Officer	Darren Wilson
Sidewalks	Andrew Cousins
Street Lighting	Andrew Cousins
Trees	Kimberly Kenyon
Village Attorney	Katherine Bogan
Village Engineer	MRB Group
Village Police Officer	William Larkin
Water Works	John Belson
Youth Rep	Kimberly Kenyon
Zoning Clerk	Teri M. Woodworth
Meeting Night	1st Monday of each month at 6:00pm
Next Organizational Meeting	April 6, 2020
Official Newspaper	The Batavia Daily News
Planning Board Meetings	3rd Wednesday of each month at 7:00pm
Workshops	Monday prior to Board Meeting each month at 2:00pm

HOLIDAYS:

Add Dr. Martin Luther King Jr. Day for the Clerk's Office

POLICIES:

Code of Ethics
Communication Technology Policy
Confined Space Policy
Disciplinary Action Guidelines
Driving of Village of Equipment Policy
Drug and Alcohol Testing Policy
Fixed Assets Policy
Investment Policy
Online Payments Policy
Photographing, Recording & Broadcasting Policy
Procurement Policy
Safety Eyeglasses Policy
Sale of Scrap Metal Policy
Sexual Harassment Policy

ADVANCE APPROVAL OF CLAIMS:

WHEREAS the Board of Trustees has determined to authorize payment in advance of audit claims for public utility services, postage, freight, and express charges; and

WHEREAS all such claims must be presented at the next regular meeting for audit; and

WHEREAS the claimant and the officer incurring or approving the claim are jointly and severally liable for any amount the Board of Trustees disallows.

NOW THEREFORE BE IT RESOLVED;

Section 1. That the Board of Trustees authorizes payment in advance of audit of claims for public utility services, postage, freight and express charges. All such claims must be presented at the next regular meeting for audit and the

**Regular meeting of the Trustees, Village of Lyndonville was held on Monday, April 1, 2019 at the Village Hall.
Meeting opened at 6:00 PM**

claimant and the officer incurring or approving the claims are jointly and severally liable for any amount the Board of Trustees disallows.

Section 2. That this resolution is effective immediately.

MILEAGE REIMBURSEMENT:

WHEREAS the Board of Trustees has determined to pay a fixed rate for mileage as reimbursement to Village Officers and employees who use their personal automobiles while performing their official village duties;

NOW THEREFORE BE IT RESOLVED:

Section 1. That the Board of Trustees will approve reimbursement to such officers and employees at the rate of \$0.55 per mile.

Section 2. that this resolution is effective immediately.

ATTENDEANCE AT SCHOOLS, CONFERENCES, CLASSES AND MEETINGS:

WHEREAS there is to be held during the coming fiscal year

- a) NYCOM's Annual Meeting and Training School,
- b) NYCOM's Fall Training School,
- c) NYCOM's Public Works Training School, and
- d) Any County meetings, Mayor's Conferences, schools, workshops and NFAVO meetings; and

WHEREAS attendance by certain municipal officials, employees, Planning Board and Zoning Board members and Fire Department member at one or more of these meetings, conferences or schools benefits the municipality;

NOW THEREFORE BE IT RESOLVED:

Section 1. That the following officers, employees and Fire Department member are authorized to attend the following schools, conferences, workshops and meetings:

- a) NYCOM's Annual Meeting and Training School,
- b) NYCOM's Fall Training School,
- c) NYCOM's Public Works Training School, and
- d) Any County meetings, Mayor's Conferences, schools, workshops and NFAVO meetings

Section 2. That this resolution is effective immediately.

DESIGNATING DEPOSITORIES

WHEREAS the Board of Trustees has determined that Village Law § 4-412(3)(2) requires the designation of banks and trust companies for the deposit of all Village monies;

NOW THEREFORE BE IT RESOLVED;

Section 1. That the Board of Trustees designates the following institutions as depositories of all moneys received by the Village Treasurer, Clerk, and receiver of taxes: M&T Bank and NYCLASS

Section 2. That this resolution is effective immediately.

PART-TIME AND EMERGENCY HELP PAY RATE

Pay rate of part-time labor is \$10.00 at the discretion of Supt. of Public Works; rate for part-time labor (emergency) is to be \$10.00 per hour.

Vote: 4 Ayes (Cousins, Kenyon, Wilson, Woodward Jr.); 0 Nays; 0 Abstain

- USDA Letter regarding the financial status of the sewer fund. Clerk-Treasurer Woodworth informed the Board a letter has been received from USDA Rural Development with regards to the Sewer Fund not being self-sustaining and a response is needed as to what the Board plans to do to address it. Attorney Bogan asked Clerk-Treasurer Woodworth to send her the letter and she will draft a response for the Board to approve.
- Fire Department Members Resignations – Clerk-Treasurer Woodworth presented the Board with two letters from the Fire Department Board of Directors with regards to resignations from Morgan Gerety and Mason Buchholz.

RESOLUTION NO 2019-48

FIRE DEPARTMENT MEMBERS RESIGNATIONS – MORGAN GERETY AND MASON BUCHHOLZ

ON MOTION of Trustee Cousins, seconded by Trustee Kenyon, to accept the Fire Department Board of Directors letters of resignation for Morgan Gerety and Mason Buchholz.

**Regular meeting of the Trustees, Village of Lyndonville was held on Monday, April 1, 2019 at the Village Hall.
Meeting opened at 6:00 PM**

Vote: 4 Ayes (Cousins, Kenyon, Wilson, Woodward Jr.); 0 Nays; 0 Abstain

- Employee Handbook – Trustee Woodward Jr. inquired if the union contract contents have been transferred over into the employee handbook. Clerk-Treasurer Woodworth noted she’s started the process but feels a committee should review and propose the changes/additions. Trustee Wilson, Trustee Kenyon and Superintendent Woodworth volunteered to get together and work on the employee handbook.
- Orleans County Resolutions # 116-319, 123-319, 150-319

RESOLUTION NO. 116-319

OPPOSING GOVERNOR CUOMO’S 2019 BUDGET PROPOSAL TO EXPAND THE NEW YORK STATE RETURNABLE CONTAINER ACT TO INCLUDE SPORT AND ENERGY DRINKS, FRUIT AND VEGETABLE BEVERAGES AND READY-TO- DRINK COFFEES AND TEAS

WHEREAS, Governor Cuomo and the State Legislature majority have proposed an expansion of the Returnable Container Act (also known as the “Bottle Bill”) which would add a deposit to sports drinks, energy drinks, fruit and vegetable beverages, and ready-to-drink coffees and teas; and

WHEREAS, Orleans County endeavors to continue operating a viable recycling program pursuant to General Municipal Law 120-aa, requiring source separation and segregation of recyclable or reusable materials from solid waste for which economic market for alternate uses exist; and

WHEREAS, the County’s recycling program has already been adversely affected by global recycling volatility and policy changes implemented principally by China, resulting over the last two years in a 90% reduction in the value of paper and a 63% loss in value of the traditional recycling stream; and

WHEREAS, the proposed expansion of the Act would put the County’s recycling program at further economic risk by removing as much as 50% of valuable plastic and aluminum containers from the recycling stream; now therefore be it

RESOLVED, that this County opposes the proposed expansion of the New York State Returnable Container Act in current form and urges Governor Cuomo and the State Legislature majority to cease its further consideration; and be it

FURTHER RESOLVED, that this County Legislature urges the Governor and State Legislature, as an alternative measure, to add a deposit to the Act for additional glass beverage containers, including wine and liquor bottles, hard cider bottles, and non-alcoholic class beverage containers since such items cause problems in the recycling stream due to breakage and contamination of other recyclables; now be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo; Senate Majority Leader Andrea Stewart-Cousins; Senate Minority Leader John Flanagan; Senator Robert G. Ort; Speaker of the Assembly Carl Heastie; Assembly Majority Leader Crystal Peoples-Stokes; Assembly Minority Leader Brian M. Kolb; Assemblyman Steve Hawley, Assemblyman Michael J. Norris; New York Association of Counties; and all others deemed necessary and proper.

RESOLUTION NO. 123-319

OPPOSING ADULT-USE REGULATED CANNABIS PROPOSAL IN ORLEANS COUNTY WITH A REQUEST TO STATE LAWMAKERS TO TAKE A SLOW AND CAUTIOUS APPROACH WITH THE INTENT TO PROTECT THE HEALTH AND SAFETY OF OUR RESIDENTS

WHEREAS, the State of New York and Legislative body is considering legalizing adult-use regulated cannabis; and

WHEREAS, the New York State Association of County Health Officials (NYSACHO), The New York Medical Association, The New York State Sheriff’s Association, The New York State District Attorney’s Association and The New York State Association of Chiefs of Police maintain strong opposition to legalized adult use cannabis, based on the quantifiable adverse impact it will have on public health and safety; and

WHEREAS, legal cannabis access is strongly associated with increased numbers of unintentional exposures in children, which can lead to hospitalizations. In Colorado, at least 14,000 children are at risk of accidentally eating cannabis products such as candies and cookies that are not safely stored or identified, and at least 16,000 are at risk of being exposed to secondhand cannabis smoke in the home; and

WHEREAS, a study out of the Lancet Psychiatry Journal shows daily cannabis users are three times more likely to have a diagnosis of first episode psychosis. This risk rises to five times more likely with daily use of high potency cannabis; and

WHEREAS, medical studies so far have shown that medicinal marijuana only is beneficial to the extent that it may aid some children suffering from seizures for which there are far superior pharmaceutical medications that have been developed which could eliminate the burden upon government and society of having to control the problems created by the existence of the medicinal marijuana industry; and

WHEREAS, this Legislature is concerned with the lack of research available to demonstrate *long-term* health outcomes of such a program. This gap in evidence could hinder our ability to stand prepared to mitigate unforeseen health consequences at local levels; and

WHEREAS, the legalization of marijuana in other jurisdictions have created an uncontrollable black market sale of marijuana in those communities which has increased homelessness, substantially increased motor vehicle fatalities; and in addition, the production of various forms of marijuana (i.e. wax and vapors) that are being consumed by under aged individual in a manner which is difficult to detect, and

**Regular meeting of the Trustees, Village of Lyndonville was held on Monday, April 1, 2019 at the Village Hall.
Meeting opened at 6:00 PM**

WHEREAS, both immediate exposure and long term exposure to cannabis impair driving ability; cannabis is the illicit drug most frequently reported in connection with impaired driving and accidents, including fatal accidents; and

WHEREAS, detection of impairment by drugs on the roadside must be performed by a certified Drug Recognition Expert, which is a law enforcement officer that has undergone at least two weeks of classroom training and an additional one week of practical field training. It is anticipated that law enforcement would have to add approximately 650 new Drug Recognition Experts to handle the necessity of the increase in suspected impaired drivers; and

WHEREAS, most law enforcement agencies within New York State have twenty or less members. Without the appropriate funding from the State, the financial impact could be crippling to some municipalities; and

WHEREAS, legalizing regulated marijuana would necessitate retiring a large majority of Police K-9 dogs that are trained to detect marijuana, as their detection capabilities would no longer be admissible in court and the replacement of these K-9 officers could easily take 5-7 years at great cost to taxpayers; and

WHEREAS, even assuming law enforcement is capable of absorbing this additional burden and expense in detecting the possible consumption of marijuana by a driver, such cases are difficult to prosecute without the expense and placing further burden on our Forensic Labs to produce certified lab reports and testimony from experts that have quantified the active amount of THC in an individual at the TIME OF OPERATION of the vehicle, without which no conviction will be obtained, and

WHEREAS, this State has gone to considerable measure to prevent the medical complications and costs to society created by the inhalation of cigarette smoke but is completely disregarding those same, if not worse dangers, imposed by the unfiltered ingestion of marijuana smoke, and

WHEREAS, there has not been ample time or studies conducted in order to see what pitfalls may arise should marijuana be legalized in the State of New York; only after bringing all stakeholders together for meetings, studies and dialog can an educated, informed decision be made; and

WHEREAS, absent our State government taking appropriate measures to research and study all of the significant legal, health, financial, ethical and moral repercussions the legalization of marijuana will have on the citizens, health institutions and law enforcement agencies of this State that it will appear that our State government is concerned more about financial gain than the best interests and future of our society, now therefore be it

RESOLVED, the Orleans County Legislature stands in firm opposition to an adult-use regulated cannabis proposal in Orleans County, New York with a request to the State and Legislature take a slow and cautious approach, starting with removal of this proposal from the State Budget with the intent of protecting the health and safety of all citizens of New York State; and be it

FURTHER RESOLVED if legalized, local health departments, mental health providers and law enforcement agencies must be funded to adequately address any increase in workload due to a regulated recreational marijuana program; and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo; Senate Majority Leader Andrea Stewart-Cousins; Senate Minority Leader John Flanagan; Senator Robert G. Ortz; Speaker of the Assembly Carl Heastie; Assembly Majority Leader Crystal Peoples-Stokes; Assembly Minority Leader Brian M. Kolb; Assemblyman Steve Hawley, Assemblyman Michael J. Norris; New York Association of Counties; and all others deemed necessary and proper.

**RESOLUTION NO. 150-319
OPPOSING GOVERNOR CUOMO'S RED FLAG GUN SEIZURE PROPOSAL**

WHEREAS, the Second Amendment to the Constitution of the United States clearly states that "the right of the people to keep and bear Arms, shall not be infringed," and

WHEREAS, Article XII of the Constitution of the State of New York clearly states, "The defense and protection of the state and of the United States is an obligation of all persons within the state," and

WHEREAS, the "Red Flag" proposal is in clear violation of our constitutionally afforded Second Amendment rights, as well as the right to due process of law, and

WHEREAS, the Orleans County Legislature has consistently gone on record unanimously opposing New York State's infringement on an individual's Second Amendment "right of the people to keep and bear arms", and

WHEREAS, the "Red Flag" proposal would permit family members, teachers or any other parties to petition the state court to order the temporary removal of firearms from a person who may present a danger to others or themselves, and

WHEREAS, the rationale that the "Red Flag" proposal would prevent a criminal from harming the public, is doubtful due to the fact that criminals, by definition, do not abide by the law and use illegal means in which they obtain firearms, regardless of the temporary gun seizure that this proposal calls for, and

WHEREAS, there are over 5,800 registered gun owners in Orleans County who could therefore be subject to the seizure of their legally obtained firearms if a person deems them to be a threat to themselves or the public, and

WHEREAS, any new state legislation responding to firearm violence should focus on increasing penalties for criminals who use firearms to harm or threaten law abiding citizens and address the issues of mental illness related to violence, now, therefore, be it

RESOLVED, the Orleans County Legislature goes on record opposing Governor Andrew M. Cuomo's Red Flag Gun Seizure proposal, and be it

**Regular meeting of the Trustees, Village of Lyndonville was held on Monday, April 1, 2019 at the Village Hall.
Meeting opened at 6:00 PM**

FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this Resolution to Governor Andrew M. Cuomo; Senate Majority Leader Andrea Stewart-Cousins; Senate Minority Leader John Flanagan; Senator Robert G. Ort; Speaker of the Assembly Carl Heastie; Assembly Majority Leader Crystal Peoples-Stokes; Assembly Minority Leader Brian M. Kolb; Assemblyman Steve Hawley, Assemblyman Michael J. Norris; and all others deemed necessary and proper.

RESOLUTION NO. 156-319

OPPOSING NEW LEGISLATION THAT NEGATIVELY IMPACTS OUR COURTS FROM IMPOSING BAIL ON INDIVIDUALS ARRESTED FOR CRIMES OR THAT IN ANY WAY ALTERS NEW YORK STATE'S CURRENT LAWS WITH RESPECT TO THE IMPOSITION OF BAIL ON A CRIMINAL DEFENDANT

WHEREAS, the State of New York is considering reform which places extreme limitations on the use of bail in the State of New York, and

WHEREAS, numerous State and County law enforcement agencies, associations, and county governments have expressed their concerns and opposition to Bail "Reform" as proposed in New York State and, instead, view the so-called "Reform" as a measure to virtually eliminate bail in many circumstances that compromises the functioning of our Criminal Justice System, and

WHEREAS, the proposed Legislation will effectively remove discretion from the Judiciary to apply bail in situations where Judges are currently able to impose bail when they deem it necessary and, instead, replaces their Judicial discretion for which they have been elected and invades province of the balance of power provided for in the State and Federal Constitution, and

WHEREAS, the so-called Bail Reform legislation is likely to have a significant financial impact on County governments, which will be mandated to establish and fund positions for newly established Pre-Trial agencies that do not currently exist, and

WHEREAS, the need for so-called "Bail Reform" as proposed is even less needed now that defendants throughout the State are guaranteed immediate legal representation through the newly established and funded Statewide Counsel at Arraignment Program that will be present to ensure that Judges are aware of all bail factors favorable to defendants when exercising their discretion to determine an appropriate level of bail, and

WHEREAS, bail reform in New York should, if anything, permit Judges to expand what factors are to be considered in setting bail to include "the safety of the community" so as to protect the victims of crimes and the citizens of this State against those individuals that have a history and propensity of committing crimes against others such as violent crimes; sex offenses; drug dealing; intimidation of witnesses; home invasions; larcenies, and other criminal conduct that compromises safety and impairs the quality of life in this State, and

WHEREAS, the "Bail Reform" as proposed is likely to have a significant impact on the County costs and any money budgeted for extraditions, due to the fact that without bail in place, those defendants wishing to avoid prosecution, particularly those from out of state or with foreign connections, for which no bail has been set, are more likely to leave the jurisdiction, resulting in an added burden on law enforcement to locate those defendants and then the county incurring the costs and difficulties associated with extraditions, and

WHEREAS, under the proposed "Bail Reform" legislation, those limited situations where a Judge will still be able to impose bail will require a Prosecutor to nearly immediately produce discovery and possibly expose a victim to having to testify at a bail hearing in the presence of the defendant shortly after the commission of the offense at a bail hearing, at a time when the defendant is still vulnerable and which may adversely impact prosecution and compromise the safety of the victim, and

WHEREAS, the Orleans County Legislature is not aware of abuses of the bail system in this county that have resulted in excessive incarceration of those that have been arrested for crimes. Now, therefore, be it

RESOLVED, that the Orleans County Legislature hereby opposes any new legislation that negatively impacts our courts from imposing bail on individuals arrested for crimes or that in any way alters New York State's current laws with respect to the imposition of bail on a criminal Defendant; and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this Resolution to Governor Andrew M. Cuomo; Senate Majority Leader Andrea Stewart-Cousins; Senate Minority Leader John Flanagan; Senator Robert G. Ort; Speaker of the Assembly Carl Heastie; Assembly Majority Leader Crystal Peoples-Stokes; Assembly Minority Leader Brian M. Kolb; Assemblyman Steve Hawley, Assemblyman Michael J. Norris; and all others deemed necessary and proper.

RESOLUTION NO 2019-49

SUPPORT OF ORLEANS COUNTY RESOLUTIONS # 116-319, 123-319, 150-319

ON MOTION of Trustee Kenyon, seconded by Trustee Cousins, to support the Orleans County resolutions as they read.

Vote: 4 Ayes (Cousins, Kenyon, Wilson, Woodward Jr.); 0 Nays; 0 Abstain

Village Planning Board/Zoning Board:

- Nothing
- Dam Project – Superintendent Woodworth confirmed with Attorney Bogan that the Dam project would not need to be put out to bid since they using a county bid. Attorney Bogan confirmed that is correct we would not need to put out bid as long as we are using the County's bid.
- Trustee Cousins inquired of the Board would be interested in making Planning Board Chairperson Kelly Cousins the lead representative for the Village for the LWRP.

**Regular meeting of the Trustees, Village of Lyndonville was held on Monday, April 1, 2019 at the Village Hall.
Meeting opened at 6:00 PM**

**RESOLUTION NO 2019-50
APPOINTEMENT – LWRP LEAD REPRESENTATIVE – KELLY COUSINS**

ON MOTION of Trustee Wilson, seconded by Trustee Woodward Jr., to appoint Planning Board Chairperson Kelly Cousins to be the Village's lead representative for the LWRP.

Vote: 3 Ayes (Kenyon, Wilson, Woodward Jr.); 0 Nays; 1 Abstain (Cousins)

ON MOTION of Trustee Cousins, seconded by Trustee Kenyon, to adjourn the meeting at 6:51 PM.

Vote: 4 Ayes (Cousins, Kenyon, Wilson, Woodward Jr.); 0 Nays; 0 Abstain

Teri M. Woodworth
Clerk-Treasurer