

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

PRESENT: Mayor: John Belson  
Trustees: Andrew Cousins  
Charles Covell  
Danny Woodward Jr.  
Clerk-Treasurer Teri Woodworth  
Supt. of Public Works Terry M. Woodworth  
Code Enforcement Officer Michael Hartman - Excused  
Attorney David Schubel  
Fire Chief Scott Buffin  
Public: Carla Woodworth, Mallory Diefenbach, Barb Champlin, John Champlin and Mike Heideman

**ON MOTION** of Trustee Woodward Jr., seconded by Trustee Covell, to open the public hearing of tentative budget of the Village of Lyndonville for the fiscal year beginning June 1, 2016 at 6:00pm.

**ON MOTION** of Trustee Covell, seconded by Trustee Woodward Jr., to close the public hearing of tentative budget of the Village of Lyndonville for the fiscal year beginning June 1, 2016 at 6:03pm.

**ON MOTION** of Trustee Woodward Jr., seconded by Trustee Cousins, to open the public hearing of the adoption of a Local Law 2016-1 to override the tax levy limit established in General Municipal Law 3-c at 6:04pm.

**ON MOTION** of Trustee Woodward Jr., seconded by Trustee Cousins, to close the public hearing of the adoption of a Local Law 2016-1 to override the tax levy limit established in General Municipal Law 3-c at 6:05pm.

**RESOLUTION 2016-30**  
**LOCAL LAW 2016-1 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-c.**

**ON MOTION** of Trustee Cousins, seconded by Trustee Woodward Jr. to adopt a Local Law 2016-1 to override the tax levy limit established in General Municipal Law 3-c.

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

**RESOLUTION 2016-31**  
**2016-2017 BUDGET**

**ON MOTION** of Trustee Covell, seconded by Trustee Cousins to accept the 2016-2017 proposed budget as written with the real property tax rate of \$13.650 per 1000.

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

**APPROVAL OF THE MINUTES**

**ON MOTION** of Trustee Woodward Jr., seconded by Trustee Covell, to accept the minutes of the March 14, 2016 regular meeting.

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

**PRIVILEGE OF THE FLOOR:**

- Nothing

**USE OF FACILITIES**

- Fire Hall – Anna Schuner is requesting use of the Fire Hall on April 9, 2016 from 12:00pm – 4:00pm for a baby shower.
- Veterans Park - Hospice of Orleans is requesting use of Veterans Park on July 4, 2016 from 8:00am - 4:00pm for their annual duck's ahoy race.
- Fire Hall – Anna Schuner is requesting use of the Fire Hall on May 7, 2016 from 12:00pm – 6:00pm for a baby shower.
- Fire Hall - Bike Run - Chief Buffin mentioned that there will be a bike run July 23, 2016 and the organization would like to use the Fire Hall for a rest stop for water and restrooms. Chief Buffin was asked to have the organization complete the necessary paperwork.

**RESOLUTION NO 2016-32**  
**USE OF FACILITIES – ANNA SCHUNER, HOSPICE OF ORLEANS, ANNA SCHUNER AND BIKE RUN**

**ON MOTION** of Trustee Woodward Jr., seconded by Trustee Cousins to approve the use of facilities for the Anna Schuner for April 9, 2016, Hospice of Orleans for July 4, 2016, Anna Schuner for May 7, 2016 and Bike Run for July 23, 2016 pending the proper paperwork is completed.

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

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**Report – Fire Chief Buffin**

- Report – 49 Calls for 2016, 16 Calls for March (8 – EMS Town, 5 – EMS Village, 1 – MA to Ridgeway, 1 - MA to Shelby and 1 - MVA Town)
- Membership - Chief Buffin questioned if a new junior member had completed the required paperwork. Clerk-Treasurer Woodworth noted not at this time. Chief Buffin will handle. Chief Buffin expressed his concerns regarding a potential new member who is a transgender individual. Chief Buffin wanted the Board's opinion on if the Fire Department should consider the individuals membership application given the transgender. Attorney Schubel advised the individual should be treated the same as any other applicant.
- Paperwork - Chief Buffin is working on the getting the required paperwork to the Clerk's Office starting with the list of current active members.
- New Truck - Mayor Belson noted that we were no longer able to purchase a 2016 chassis at this time due to Ford's deadline. The purchase of a new truck is still in the works however we will have to wait until the 2017 pricing is available.

**Report – Code Enforcement**

- Report given by Clerk-Treasurer Woodworth - Code Enforcement Hartman has issued 5 building permits and handled one complaint. Mayor Belson noted that Code Enforcement's hours and phone number have been posted in the front window of the Village Hall and on the Village website.

**Report – Attorney Schubel**

- Attorney Schubel presented the Board with a draft of Local Law 2016-3 - The Use of Best Value For Awarding Purchase Contracts:

LOCAL LAW NO. 3  
VILLAGE OF LYNDONVILLE

A LOCAL LAW AUTHORIZING THE USE OF BEST VALUE  
FOR AWARDING PURCHASE CONTRACTS

BE IT ENACTED, by the Village Board of the Village of Lyndonville, New York, as follows:

Section 1. Legislative History.

A. Section 103 of New York State General Municipal Law has been amended to allow municipalities the option of utilizing a “best value” standard in purchase contracts in lieu of the “lowest responsible bidder” standard when it is deemed in the best interest of the municipality, due to factors such as cost of maintenance, durability, higher quality, and longer product life. In order to utilize the “best value” standard for purchase contracts, municipalities must adopt a local law authorizing use of this alternative purchasing standard.

B. A new subdivision 16 was added to General Municipal Law section 103, and subsequently amended, to allow municipalities to purchase apparatus, materials, equipment and supplies, and to contract for services related to the installation, maintenance or repair of those items, through the use of contracts let by the United States or any agency thereof, any state or any other political subdivision therein, either to the lowest bidder or on the basis of best value in a manner consistent with General Municipal Law section 103. The contracts must be made available for use by other governmental entities.

Section 2. Authorization.

A. The Village of Lyndonville is hereby authorized to award purchase contracts on the basis of best value in the manner provided by Section 103 of New York State General Municipal Law.

B. It shall be the responsibility of the Village Mayor and the Village Clerk-Treasurer to review each proposed non-New York procurement to determine, on advice of the attorney to the Village as appropriate, whether the proposed procurement has been let to the lowest responsible bidder or on the basis of best value in a manner consistent with General Municipal Law section 103.

Section 3. Effective Date.

This local law shall take effect upon filing with the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

**RESOLUTION NO 2016-33**

**PUBLIC HEARING FOR LOCAL LAW 2016-3 - AUTHORIZING THE USE OF BEST VALUE FOR AWARDING PURCHASE CONTRACTS**

**ON MOTION** of Trustee Woodward Jr., seconded by Trustee Covell to set the Public Hearing for the Local Law 2016-3 Authorizing The Use Of Best Value For Awarding Purchase Contracts for May 9, 2016 at 6:05pm at the Village Hall

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

**Report – Clerk-Treasurer Woodworth**

- Police Report - Confirmed everyone received Officer Larkin's police report.
- Clerk-Treasurer Woodworth has filed the Tax Cap with the Office of the New York State Comptroller.
- Logics - Clerk-Treasurer Woodworth will begin training with Logics the week of April 18, 2016 for their utilities billing program for water and sewer.
- Vouchers – Abstract A10-3 #10655 - 10656 to be paid

General	\$	198.00
Water	\$	0.00
Sewer	\$	0.00
<b>Grand Total</b>	<b>\$</b>	<b>198.00</b>

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**RESOLUTION NO 2016-34**  
**VOUCHERS TO BE PAID FOR ABSTRACT A10-3-2016**

**ON MOTION** of Trustee Woodward Jr., seconded by Trustee Covell to have Clerk-Treasurer Woodworth to pay Abstract A10-3 Vouchers #10655 – 10656.

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

- Vouchers – Abstract A11 #10657 - 10701 to be paid

General	\$ 18,862.67
Water	\$ 10,338.61
Sewer	\$ <u>6,530.26</u>
<b>Grand Total</b>	<b>\$ 35,731.54</b>

**RESOLUTION NO 2016-35**  
**VOUCHERS TO BE PAID FOR ABSTRACT A11-2016**

**ON MOTION** of Trustee Covell, seconded by Trustee Cousins to have Clerk-Treasurer Woodworth to pay Abstract A11 Vouchers #10657 – 10701.

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

**Report – Superintendent Woodworth**

- Dam – the DEC has sent back a list of items needed before any progress can be made on the flood gate repairs. Superintendent Woodworth is working with Chatfield Engineers to complete the list.
- Boy Scouts Deck Plans - Superintendent Woodworth will take the Boy Scouts plans from the workshop and forward them to Chatfield Engineers for their recommendations.
- 55c South Main Street - The Village has received a request to discontinue water services for 55c South Main Street. Superintendent Woodworth has reviewed the sewer maps of the property. He noted they would need to remove the third meter and if the use of the building was to change all charges would be reinstated. Superintendent Woodworth will get a letter out to the property owner explaining everything.

**Report – Trustee Covell**

- Nothing

**Report – Trustee Woodward Jr.**

- Congratulated John Belson and Andrew Cousins for winning the Election

**Report – Trustee Cousins**

- Nothing

**Report – Mayor Belson**

- Mayor Belson contacted Mr. Flynn from LaBella's to see if there is anything available to help with downtown.

**OLD BUSINESS:**

- Water Rate Assessment – Mayor Belson, Trustee Cousins and Clerk-Treasurer Woodworth had a conference call with Paul Chatfield from Chatfield Engineers and we are awaiting new figures before meeting with the Town of Yates.
- West Avenue Sidewalks – The Board reviewed the draft Local Law 2016-2 regarding no parking on West Avenue.

**A Local Law Amending Local Law No. 2 of the Year 1999 As Amended by  
Local Law No. 2 of the Year 2007 and Local Law No. 1 of the Year 2012**

**Section 1.** The purpose of this Local Law is to amend Local Law No. 2 of the Year 1999 as amended by Local Law No. 2 of the Year 2007 and Local Law No. 1 of the Year 2012 which enacted a comprehensive vehicle and traffic chapter for the Village of Lyndonville which was included as Chapter 225 of the Code of the Village of Lyndonville by amending §225-10 with the inclusion of an additional no parking and no standing area to be located on the north and south sides of West Avenue as hereinafter provided.

**Section 2.** The Village Code of the Village of Lyndonville §225-10 is hereby amended and revised to include an additional no parking and no standing area to be located on the north and south sides of West Avenue. §225-10 is revised and amended to read as follows, to wit:

§225-10 No standing and no parking.

The following areas are hereby designated as no parking and no standing areas in which areas the parking or the standing of motor vehicles at any time, shall be unlawful, to wit:

On the Easterly side of North Main Street commencing at the south curb line of Riverside Avenue to a point forty-eight (48') feet southerly therefrom.

On the southerly side of Maple Avenue commencing at the east boundary of the crosswalk to a point sixty-two (62') feet easterly therefrom.

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On the northerly and southerly sides of West Avenue commencing at the intersection of the centerline of West Avenue with the centerline of North Main Street, (New York State Route 63) and running westerly along the centerline of West Avenue a distance of one thousand eighty (1,080') feet to a point which is one thousand eighty (1080') feet west of the centerline line of North Main Street (New York State Route 63).

**Section 3.** This local law shall take effect immediately upon filing with the Department of State as provided by law.

**RESOLUTION NO 2016-36**

**PUBLIC HEARING FOR LOCAL LAW 2016-2 - AMENDING LOCAL LAW NO. 2 OF THE YEAR 1999 AS AMENDED BY LOCAL LAW NO. 2 OF THE YEAR 2007 AND LOCAL LAW 1 OF THE YEAR 2012**

**ON MOTION** of Trustee Covell, seconded by Trustee Woodward Jr. to set the Public Hearing for the Local Law 2016-2 Amending Local Law No. 2 of the Year 1999 as Amended by Local Law No. 2 of the Year 2007 and Local Law 1 of the Year 2012 for May 9, 2016 at 6:00pm at the Village Hall

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

- Eagle Street - Superintendent Woodworth and Clerk-Treasurer Woodworth will put together a survey to send out to the residents of Eagle Street for their opinion of making it a one-way street.

**NEW BUSINESS:**

- Letter of Resignation - Mayor Belson noted that Clerk-Treasurer Woodworth has received a letter of resignation from Trustee James Tuk effective April 1, 2016.

**RESOLUTION NO 2016-37**

**LETTER OF RESIGNATION - JAMES TUK**

**ON MOTION** of Trustee Woodward Jr., seconded by Trustee Covell to accept Trustee James Tuk's letter of resignation effective April 1, 2016.

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

- Letter of Resignation - Mayor Belson noted that Clerk-Treasurer Woodworth has also received a letter of resignation from Zoning Board of Appeals Member Kimberly Feitshans effective immediately.

**RESOLUTION NO 2016-38**

**LETTER OF RESIGNATION - KIMBERLY FEITSHANS**

**ON MOTION** of Trustee Woodward Jr., seconded by Trustee Cousins to accept ZBA Kimberly Feitshans letter of resignation effective immediately.

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

**RESOLUTION NO 2016-39**

**2016/2017 APPOINTMENTS**

**ON MOTION** of Trustee Cousins, seconded by Trustee Woodward Jr., to accept the following appointments:

Chief of Police	John Belson
Sewer (Sanitary & Storm)	John Belson
Water Works	John Belson
Parking Lots & Streets	John Belson
Youth Rep.	John Belson
Police Officer	William Larkin
Code Enforcement Officer	Michael Hartman
Attorney for the Village	Webster Schubel and Meier
Trees	Andrew Cousins
Sidewalks	Andrew Cousins
Street Lighting	Andrew Cousins
Senior Citizens Rep.	Andrew Cousins
Orleans County Planning Board	Andrew Cousins, Alternate Danny Woodward Jr.
Fair Housing Officer	Charles Covell
Parks & Pond	Charles Covell
Liaison – Legion & VFW	Charles Covell
Clerk-Treasurer	Teri M. Woodworth
Budget Officer	Teri M. Woodworth
Historian	Teri M. Woodworth
Registrar of Vital Statistics	Teri M. Woodworth
Fire Dept. Records Officer	Teri M. Woodworth
Records Management Officer	Teri M. Woodworth
Zoning Clerk	Teri M. Woodworth
Supt. of Public Works	Terry M. Woodworth
Safety Officer	Terry M. Woodworth
Liaison – Fire Dept	Danny Woodward Jr.

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Liaison – Lions Club	Danny Woodward Jr.
Public Safety Committee	Charles Covell & Danny Woodward Jr.
Clerk Part-Time	Virginia Nicholson
Deputy Registrar of Vital Statistics	Virginia Nicholson
Official Bank	M & T
Official Newspaper	The Batavia Daily News
Meeting Night	1 <sup>st</sup> Monday of each month, 6:00 p.m. @ Village Hall starting 6/1/2016
Workshops	Monday prior to the Board Meeting of each month, 2:00p.m. at the VH
Village Engineer	Chatfield Engineers, P.C.
Grants Manager	

**MILEAGE REIMBURSEMENT**

Cost of Fifty Cents (.50) per mile for Village Officials or Village Employees for the use of their vehicles on Village business.

**PART-TIME AND EMERGENCY HELP PAY RATE**

Pay rate of part-time labor is \$9.00 from January 1, 2016 at the discretion of Supt. of Public Works and any increases deemed to be in compliance with New York State Minimum Wage; rate for part-time labor (emergency) is to be \$10.00 per hour.

**MEETINGS, CONFERENCES, AND CLASSES**

Permission for the Mayor, Trustees, Clerk-Treasurer, Code Enforcement Officer, Supt. of Public Works, DPW Maintenance Workers, Fire Co. Rep. to attend any County meetings, Mayor's Conferences, meetings, schools, workshops and NFAVO meetings

**ZONING BOARD OF APPEALS MEMBER**

Appointed to the Village of Lyndonville Zoning Board of Appeals chairman Carla Woodworth for the term of 3 years and Dorothy Covell for a term of 2 years.

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

**ON MOTION** of Trustee Cousins, seconded by Trustee Woodward Jr., to adjourn the meeting at 6:37 p.m.

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

*Teri Woodworth*  
Clerk-Treasurer