

**Special meeting of the Trustees, Village of Lyndonville was held on Friday, May 10, 2019 at the Village Hall.
Meeting opened at 3:00 PM**

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

Report – Clerk-Treasurer Woodworth

- 2019-2020 Tax Warrant - To Teri M. Woodworth Village Clerk-Treasurer

YOU ARE HEREBY COMMANDED to receive and collect from the several persons named in the tax roll here unto annexed, the sum stated in the last column hereof opposite their names, being a total of \$440,308.00 for the following purposes:

For the Current Budget \$ 1,455,421.00

YOU ARE FURTHER COMMANDED to receive and collect such sum without additional charges between the first day of June and the first day of July 2019 both inclusive; and thereafter to collect with such of the sums as have not been theretofore collected, an additional charge of five per centum for the first month or fraction thereof, and one per centum for each month until paid.

YOU ARE FURTHER COMMANDED to return the tax roll and warrant to the Village Clerk on or before the first day of November, 2019, and to deliver to the board of trustees at the same time an account of the taxes remaining due and unpaid; describing each parcel of real property upon which taxes are unpaid, showing the person or persons to whom the parcel is assessed and showing as to each parcel the amount of tax unpaid.

RESOLUTION NO 2019-64
2019/2020 TAX WARRANT

ON MOTION of Trustee Kenyon, seconded by Trustee Wilson, to accept the 2019/2020 Tax Warrant as it reads.

Vote: 3 Ayes (Belson, Kenyon, Wilson); 0 Nays; 0 Abstain

- LaBella Associates Resolution – The Board discussed the proposed resolution from LaBella Associates. The Board would like something in writing from Robert Smith with regards to his intentions with 29 South Main Street prior to committing to the LaBella Associates resolution and the Main Street Grant application.
- School Project – Mayor Belson noted there has been some issues with the school project.
- Water/Sewer Billing Adjustment Policy –
 - The Village of Lyndonville will not address, defer, mitigate or otherwise provide any reimbursement, relief or reduction of payment for water usage by any resident or business within the Lyndonville water district.
 - The Village of Lyndonville may, however, address legitimate concerns regarding the sewer portion of any Village resident or business if the following conditions are met:
 - 1) That any grievance is provided, in writing, to the Village Clerk no later than ten business days from the billing date of the invoice in question. Any grievance received after this date will be considered solely at the discretion of the Village Board, if at all.
 - 2) Verification of source of excessive water usage is provided in writing by a certified licensed plumber, Village Code Enforcement Officer, Village Fire Department member, employee of the Village Department of Water or other appropriately licensed or certified professional.
 - 3) The consumer's water/sewage usage is deemed excessive based upon prior historical water/sewage usage for the address in question. A water/sewage invoice will be deemed excessive if it is greater than fifty percent higher than the previous twelve (12) consecutive invoices (if billed monthly) or eight (8) consecutive invoices (if billed quarterly) assuming there have been no alterations to the dwelling that might effect net overall water/sewage usage during that time (i.e.: The addition of a bathroom, shower, laundry facility, swimming pool etc.)

The Village Board will take the following action:

- The Village Board will collectively determine if the complaint has merit – which will be based upon the complainant meeting the above conditions.
- The Village Board will determine the amount of, if any, abatement to be made.
- The Village Board's decision is final and no further appeal will be considered.

The following remedy may be available:

- Only the sewer charge portion of the complainant's bill will be adjusted.
- It must be proven that the water did not go down the sewer to Waste Water Treatment Plant by the complainant.
- The sewer portion of the complainant's invoice may, at the discretion of the Village Board, be reduced by an amount the Village Board deems equitable under the overall circumstances to the amount based upon one year's average prior usage.
- No penalties or interest for late payment will be incurred during the Village Boards deliberation.

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- The Village Board may, at its option, establish and allow an extended payment period to ease the financial burden when a water/sewage customer's bill is deemed excessive. Late payment charges and interest will not apply to the first payment of an extended payment, but will apply to any successive payments.

Special Usage: Swimming Pools

- Any allowances for water usage will be applied only for the initial filling of a swimming pool. Partial fillings or "topping off" will not be considered.
- The Village Board or the Village Department of Water must be notified that a resident intends to fill their pool no earlier than seven days prior to its filling.
- The pool owner must supply the Village Department of Water with the dimensions of the pool or the manufacturer's original specifications for the pool to determine the pool's total water volume in order to avoid excess water use charges.
- A special meter or other device may be affixed by authorized personnel in order to regulate and assess that the water required to fill the swimming pool is accurate and the consumer is billed accordingly.
- Any grievances arising from pool fillings will be addressed only under the provisions outlined in the above water/sewer usage grievances provisions.

RESOLUTION NO 2019-65

LYNDONVILLE WATER/SEWER BILLING ADJUSTMENT POLICY

ON MOTION of Trustee Wilson, seconded by Trustee Kenyon, to adopt the Lyndonville Water/Sewer Billing Adjustment Policy as it reads.

Vote: 3 Ayes (Belson, Kenyon, Wilson); 0 Nays; 0 Abstain

ON MOTION of Trustee Kenyon, seconded by Trustee Wilson, to adjourn the meeting at 3:17PM.

Vote: 3 Ayes (Belson, Kenyon, Wilson); 0 Nays; 0 Abstain

Teri M. Woodworth
Clerk-Treasurer