

**Special meeting of the Trustees, Village of Lyndonville was held on Tuesday, May 16, 2017 at the Village Hall.
Meeting opened at 9:40a.m.**

PRESENT: Mayor: John Belson
Deputy Mayor: Danny Woodward Jr.
Trustees: Andrew Cousins
Charles Covell - Absent
Mary Kage - Absent
Clerk-Treasurer Teri Woodworth
Supt. of Public Works Terry M. Woodworth - Excused
Code Enforcement Officer
Attorney Katherine Bogan - Excused
Fire Chief Ben Bane - Excused
Public:

Report – Mayor Belson

- Fire Department Member Donald Grabowski - Mayor Belson informed the Board that Donald Grabowski has met all the requirements required by the Fire Department and the Village of Lyndonville. Mayor Belson asked the Board for approval to make Donald Grabowski a member of the Fire Department.

RESOLUTION NO 2017-62

FIRE DEPARTMENT MEMBER DONALD GRABOWSKI

ON MOTION of Mayor Belson, seconded by Trustee Cousins to approve Donald Grabowski as a member of the Lyndonville Fire Department.

Vote: 2 Ayes (Belson, Cousins); 1 Nays (Woodward Jr.); 0 Abstain

- Public Safety Committee - Mayor Belson noted that the Public Safety Committee should meet at least twice a year, mid February and mid October.
- Code Enforcement/Zoning Officer - Mayor Belson met with Dan Wolfe to discuss the terms of his temporary employment.
- Dear Mr. Wolfe,

The Village of Lyndonville is pleased to offer you part-time employment as the Code Enforcement Officer with the Village of Lyndonville with the following terms:

1. **Rate of pay:** \$ 25.00 per hour less applicable deductions.
2. **Mileage:** \$0.50 per mile for weekly Village inspection.
3. **Emergency Call Outs:** Paid at the hourly rate of pay for the number of hours worked (minimum of two hours) as well as \$0.50 per mile from the Village Hall to the location.
3. **Hours of Work:** Approximately 2 hours each week.
4. **Paid Leave:** Part-Time employees are not eligible for paid holidays or paid vacation, sick or personal leaves. If a holiday should fall on the scheduled work day, the employee will work an alternate day that week of their choice.
5. **Duties:**

A. ADMINISTER THE ZONING LAW

The Zoning Enforcement Officer shall review all applications for zoning permits and, if the minimum requirements of this Local Law are met, the Zoning Enforcement Officer shall issue a permit.

If the applicant's plans do not meet the Zoning requirements, the Zoning Enforcement Officer must deny the permit. The Zoning Enforcement Officer may not use discretionary judgment. The Zoning Enforcement Officer must enforce the "Letter of the Law."

B. REFERRAL OF APPEALS TO THE ZONING BOARD

In the event that a applicant for a zoning permit files an appeal from an order, requirement, decision, interpretation or determination issued by the Zoning Enforcement Officer, or an appeal for a variance from the provisions of this Local Law, the Zoning Enforcement Officer shall notify the Chairperson of the Zoning Board of Appeals and shall forward all necessary supporting information and documentation to the Chairperson. The Zoning Enforcement Officer shall attend all Zoning Board of Appeals meetings; compensatory time off shall be taken for attending Zoning Board of Appeals meetings.

C. REFERRAL TO VILLAGE PLANNING BOARD

Any application for a Special Use Permit, change of zoning district or use that requires Site Plan Review shall be forwarded by the Zoning Enforcement Officer to the Chairperson of the Village Planning Board along with all necessary supporting information and documentation.

D. CITING ZONING VIOLATIONS AND ISSUING APPEARANCE TICKETS

1. For any plans, construction, building, use of premise found in violation of this Local Law, the Zoning Enforcement Officer shall order the responsible party, in writing, to remedy the violation(s). He shall have the authority to commence proceedings to punish violations pursuant to Section 108 of Article I of this Local Law.
2. The Zoning Enforcement Officer may enter any premise or building during reasonable hours in the course of his duties in

accordance with State Law after due written notice has been given.

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3. The Zoning Enforcement Officer shall be authorized and empowered to issue appearance tickets pursuant to the New York State Criminal Procedure Law.

E. REPORT TO VILLAGE BOARD OF TRUSTEES

The Zoning Enforcement Officer will be required to attend and provide a monthly report to the Village Board of Trustees at the regularly scheduled monthly meetings describing and enumerating actions taken and permits issued shall be given.

F. PUBLIC RECORD

1. The Zoning Enforcement Officer shall file all permit actions with the Village Clerk.

2. The Zoning Enforcement Officer shall maintain a current list and a map depicting the location of non-conforming uses to determine if discontinuance or destruction, or change in use or vacancy has taken place.

3. The Zoning Enforcement Officer shall maintain a current list and a map depicting the locations of variances and special use permits to use to determine compliance with the conditions and safeguards placed on variances and special use permits.

4. When a special use permit is required, the Zoning Enforcement Officer shall not issue a zoning permit unless and until the Village Planning Board approves the special use permit and provides the Zoning Enforcement Officer with a written directive to issue such zoning permit. Any special conditions imposed by the Village Planning Board on the special use permit approved shall be enumerate on the zoning permit.

5. When a variance is required, the Zoning Enforcement Officer shall not issue a zoning permit unless and until the Zoning Board of Appeals approves the variance or variances and provides the Zoning Enforcement Officer with a written directive to issue such zoning permit. Any specific conditions imposed by the Zoning Board of Appeals on the variance(s) granted shall be enumerated on the zoning permit.

6. **Training/Certification:** Must complete the New York State Code Enforcement certification within twelve (12) months from commencement of your employment. Also complete the required annual New York State Code Enforcement training/certification. Any training expenses incurred may be submitted to the Village Board for consideration of reimbursement.

7. **Commencement of employment:** Your employment will commence on 05/01/2017 upon completion of the required employment paperwork and drug testing.

Either you or the Village of Lyndonville may end this contract for any reason by giving ten (10) days advance written notice of termination. In the event cause for termination without notice exists, the Village of Lyndonville may terminate the contract immediately.

If you have any questions regarding any of these terms, please contact me immediately. If you are prepared to accept this offer of employment, please sign below in the space provided and a copy of this letter will be returned to you.

RESOLUTION NO 2017-63

HIRE DANIEL WOLFE AS THE VILLAGE OF LYNDONVILLE'S TEMPORARY CODE ENFORCEMENT/ZONING OFFICER

ON MOTION of Trustee Cousins, seconded by Trustee Woodward Jr. to hire Daniel Wolfe as the Village of Lyndonville's temporary Code Enforcement/Zoning Officer based on the terms of the job offer letter.

Vote: 3 Ayes (Belson, Cousins, Woodward Jr.); 0 Nays; 0 Abstain

- Year End Meeting - May 30, 2017 at 1:30pm.

ON MOTION of Trustee Cousins, seconded by Trustee Woodward Jr., to adjourn the meeting at 10:00am.

Vote: 3 Ayes (Belson, Cousins, Woodward Jr.); 0 Nays; 0 Abstain

Teri M. Woodworth
Clerk-Treasurer