

Regular meeting of the Trustees, Village of Lyndonville was held on Monday, June 7, 2021 at the Village Hall. Meeting by teleconference via Zoom, the meeting opened at 6:00 PM

PRESENT: Mayor: John Belson
Deputy Mayor: Danny Woodward Jr. - Absent
Trustees: Anne Marie Holland
Kimberly Kenyon
Darren Wilson
Clerk-Treasurer Teri Woodworth
Supt. of Public Works Terry M. Woodworth
Code Enforcement Officer Dan Wolfe
Attorney Katherine Bogan
Fire Chief Ben Bane
Public – Present: Carla Woodworth, Jenelle Boyd, Rusty Boyd

APPROVAL OF THE MINUTES

ON MOTION of Trustee Wilson seconded by Trustee Kenyon, to accept the minutes of the May 3, 2021 regular meeting.

Vote: 4 Ayes (Belson, Holland, Kenyon, Wilson); 0 Nays; 0 Abstain

PRIVILEGE OF THE FLOOR

- Jenelle Boyd requested an update on the letter she sent on the status of resolution at 43 Garland Street. Mrs. Boyd noted there is now a 6th car parked in the street. Mrs. Boyd noted the condition of the home is still the same and would like to know what is being done about getting the place cleaned up. Mayor Belson noted he was working with Code Enforcement Wolfe to get a letter out demanding the property get cleaned up. Code Enforcement Wolfe noted he will get an appearance ticket issued and into court ASAP. Trustee Wilson asked about how many vehicles one is allowed to have. Code Enforcement Wolfe noted he intends to address the number of vehicles, the property up keep and operating a junking business in an R1 residential district. Mr. Boyd noted the Village code states 5 or more need to be behind fence. Mrs. Boyd noted cars can't be parked in road, she referenced Article VI, Section 601 of the Village zoning. Trustee Kenyon inquired if all the vehicles have valid plates and inquired if Law Enforcement could assist in verifying that. Attorney Bogan noted yes it can be done by Law Enforcement. Trustee Kenyon inquired what the time line was on getting this resolved. Code Enforcement Wolfe noted its up the Judge. Attorney Bogan advised Code Enforcement Wolfe to go with Officer Larkin and run plates and ticket vehicles in the road way and for Code Enforcement Wolfe to advise the owner to clean up the property or he will be fined per day.

USE OF FACILITIES

- Nothing

Report – Code Enforcement Wolfe

- Mayor Belson confirmed everyone received Code Enforcement Wolfe's report.
- Mayor Belson noted Code Enforcement Wolfe signed the demolition and building permits today for the old Crosby Whipple building.

Report – Officer Larkin

- No report given at this time.

Report – Fire Chief Bane

- Report – 101 Calls for 2021; 32 Calls for May (10 – EMS Town, 9 – EMS Village, 1 – Law Enforcement Stand by Town, 1 – MVA Town, 2 – Lift assist Town, 1 – Water problem Village, 1 – Fire Alarm Village, 1 – CO Detector Town, 1 – Wires Down Town, 5 – FAST Team (2 – Ridgeway, 1 – Barker and 2 – Medina))

Report – Attorney Bogan

- Nothing

Report – Clerk-Treasurer Woodworth

- Clerk-Treasurer Woodworth received from the Lyndonville Fire Department President resignations for Keith Oliver and Melanie Oliver as they have relocated outside of the district and Pamela Durow to be moved to a social member only

RESOLUTION NO 2021-49

LYNDONVILLE FIRE DEPARTMENT RESIGNATIONS – KEITH OLIVER & MELANIE OLIVER & PAMELA DUROW AS A SOCIAL MEMBER

ON MOTION of Trustee Belson, seconded by Trustee Holland, to accept the resignations of Keith Oliver and Melanie Oliver and move Pamela Durow to a social member from the Lyndonville Fire Department with regrets and we thank them for their service.

Vote: 4 Ayes (Belson, Holland, Kenyon, Wilson); 0 Nays; 0 Abstain

- Clerk-Treasurer Woodworth presented the Board with the budget to actual report as of May 31, 2021.
- Clerk-Treasurer Woodworth informed the Board they interviewed 3 applicants and will be running the ad for the Clerk Part-Time again on the Orleans Hub and the Lake Country Pennysaver for the next two weeks starting June 4, 2021.

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- Vouchers – Abstract A12-1 – A12-3 to be paid for 2020-2021

General	\$ 37,564.51
Water	\$ 28,156.09
Sewer	\$ 1,269.27
Grand Total	\$ 67,078.99
- Vouchers – Abstract A1 to be paid for 2021-2022

General	\$ 40,347.91
Water	\$ 2,311.89
Sewer	\$ 1,796.78
Grand Total	\$ 44,456.58

RESOLUTION NO 2021-50
VOUCHERS TO BE PAID FOR ABSTRACTS A12-2 – A1

ON MOTION of Trustee Wilson, seconded by Trustee Kenyon, to have Clerk-Treasurer Woodworth pay Abstracts A12-2 – A1 # 15265 – 15315.

Vote: 4 Ayes (Belson, Holland, Kenyon, Wilson); 0 Nays; 0 Abstain

Report – Superintendent Woodworth

- Waste Water Treatment Plant Disinfection Project – Superintendent Woodworth presented the Board with 3 resolutions from the MRB Group needed to proceed with the grant process. The Board requested the updated estimate on the project prior to approving the proposed resolutions. The Board discussed where to get the Village’s matching funds from. Clerk-Treasurer Woodworth will reach out Jeff Smith from Municipal Solutions regarding funding. Mayor Belson mentioned he’d like to put a line item onto the sewer bills to charge the project back to the residents. Trustee Holland inquired if this was a mandatory upgrade or not. Superintendent Woodworth noted yes, it’s a mandatory upgrade. The Board tabled until MRB Group can provide an updated project cost.
- Superintendent Woodworth referenced a letter sent to Robert Smith regarding the tapping of a new water line for 15-19 S Main Street. Superintendent Woodworth noted the letter states the owner will be responsible for the tapping, all materials and the replacement of the new sidewalks. Superintendent Woodworth noted the Village has the bill for Blair Supply for \$1,832.00 and Ontario Tapping for \$1,000.00. Superintendent Woodworth inquired about who’s paying for the sidewalk being replaced. Superintendent Woodworth noted letter states the owner would pay for the sidewalk replacement. The Board agreed with the letter that owner will pay for the sidewalks as the letter states. Trustee Wilson noted the Village has addressed and taken care of the part we agreed to pay for. Superintendent Woodworth noted he will inform the owner that per the letter he will be responsible for the sidewalk replacement. Clerk-Treasurer Woodworth noted the Board was in discussion at the last meeting regarding billing the owner for the engineer’s fee of \$283.50 for reviewing the plans. Attorney Bogan advised its part of the Village’s approval process the owner pays for the engineer’s fee, that’s not on the Village tax payers to pay. Clerk-Treasurer Woodworth confirmed the owner should be billed for the engineer’s fee of \$283.50, the \$1,000.00 tapping fee, the materials from Blair Supply of \$1,832.00, meter of \$1,592.76 minus \$315.00 (cost of one inch meter) should be billed to the owner. Superintendent Woodworth noted he will inform the contractor to bill the owner directly for the sidewalk replacement.

RESOLUTION NO 2021-51
BILL ROBERT SMITH FOR WATER TAPPING PROJECT

ON MOTION of Trustee Wilson, seconded by Trustee Kenyon, to authorize Clerk-Treasurer Woodworth to bill Robert Smith/Main Street Lyndonville LLC for the water tapping at 15-19 South Main Street as follows: Engineer’s fee of \$283.50, Tapping fee of \$1,000.00, and Materials of \$3,108.85.

Vote: 4 Ayes (Belson, Holland, Kenyon, Wilson); 0 Nays; 0 Abstain

- Superintendent Woodworth noted Trustee Wilson mentioned months ago about appointing an Assistant Superintendent of Public Works creating a line of succession due to Superintendent Woodworth and Public Works Maintenance Worker Gary White both being at or near retirement. Mayor Belson proposed creating the Assistant Superintendent of Public Works position and a \$1.00 per hour pay increase with the title. Trustee Wilson inquired if the position had been offered to anyone yet.

RESOLUTION NO 2021-52
CREATE A NEW POSITION – ASSISTANT SUPERINTENDENT OF PUBLIC WORKS

ON MOTION of Trustee Belson, seconded by Trustee Kenyon, to create a new position of Assistant Superintendent of Public Works with a \$1.00 per hour pay rate.

Vote: 4 Ayes (Belson, Holland, Kenyon, Wilson); 0 Nays; 0 Abstain

- Superintendent Woodworth made the recommendation to appoint Devan Freeman to the Assistant Superintendent of Public Works due to the expected retirement of Gary White.

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RESOLUTION NO 2021-53

OFFER ASSISTANT SUPERINTENDENT OF PUBLIC WORKS TO DEVAN FREEMAN

ON MOTION of Trustee Kenyon, seconded by Trustee Wilson, to offer the Assistant Superintendent of Public Works to Devan Freeman with it being effective/retroactive as of June 7, 2021.

Vote: 4 Ayes (Belson, Holland, Kenyon, Wilson); 0 Nays; 0 Abstain

- Superintendent Woodworth noted we are pumping a lot of water; the pumps are running 24 hours a day. Trustee Kenyon inquired if we need to put any water restrictions on at this point. Superintendent Woodworth said no restrictions needed yet but if it gets worse, we will need to.

Report – Trustee Kenyon

- Trustee Kenyon noted with all the new CDC guidelines changing that the Village needs to update their policies as well including the opening of the Fire Hall. Mayor Belson asked Trustee Kenyon and Trustee Holland if they would work on that.

Report – Trustee Holland

- Trustee Holland thanked Clerk-Treasurer Woodworth for sending out the cat letter with the water quality report.
- Trustee Holland noted Mr. Robert Smith approached her about the \$25.00 per day fee. Mr. Smith is concerned if people want to have repetitive dates for food trucks, they buy in quantity that would get them a discount so he feels our fee is too high and should be compared to other municipalities. Trustee Holland noted Mr. Smith is wondering if the Board would consider a one-time fee that would include several days, referencing the Village of Albion's fees. Trustee Kenyon noted the Board talked about several other municipalities rates and decided to go with the Village Attorney's recommendation. Trustee Wilson noted he feels concerns need to come from food truck owner not the property owner. Mayor Belson noted this had been discussed for several months, let the fee stand as is at this point.

Report – Trustee Wilson

- Trustee Wilson mentioned the email regarding pools needing a building permit. Trustee Wilson noted the one in the email is the size of a bathtub however after driving by the property its much larger and needs a building permit. Attorney Bogan informed Trustee Wilson that Code Enforcement Wolfe can advise them to get a permit or they will be issued an appearance ticket if they don't comply. Trustee Wilson will inform Code Enforcement Wolfe the owner needs to obtain a permit.

Report – Trustee Woodward Jr.

- Nothing

Report – Mayor Belson

- Mayor Belson presented the Board with a letter from the Arbor Day Foundation.

OLD BUSINESS:

- Use of Facilities – Rental/Cleaning fee for the Fire Hall – Trustee Kenyon and Trustee Holland will work on.
- Water Rate Agreement – Work in progress.

NEW BUSINESS:

- Cannabis/Marijuana – Attorney Bogan requested that the Board add cannabis/marijuana to old business for the future. Attorney Bogan explained the Village has the option of opting out and will forward on reference materials for the Board to review and decide. Attorney Bogan explained the process of opting out and public referendum. Attorney Bogan explained opting out is for the public's safety, the issue is consumption facilities. The Board discussed concerns if it was allowed in the Village.

ON MOTION of Trustee Kenyon, seconded by Trustee Holland, to adjourn the meeting at 6:57PM.

Vote: 4 Ayes (Belson, Holland, Kenyon, Wilson); 0 Nays; 0 Abstain

Teri M. Woodworth
Clerk-Treasurer