

Regular meeting of the Trustees, Village of Lyndonville was held on Tuesday, July 6, 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 - via Zoom
Attorney Katherine Bogan
Fire Chief Ben Bane - Absent
Public – Present: Valerie Wells

APPROVAL OF THE MINUTES

ON MOTION of Trustee Wilson seconded by Trustee Kenyon, to accept the minutes of the May 24, 2021 Year-End meeting and the June 7, 2021 regular meeting.

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

PRIVILEGE OF THE FLOOR

- Nothing

USE OF FACILITIES

- Lyndonville Youth Baseball Softball – Lake Avenue Ball Fields – Lyndonville Youth Baseball Softball is requesting extended use of the Lake Avenue Ball Fields from July 3, 2021 to October 12, 2021 on Wednesday’s from 5:00pm to 8:30pm and Sunday’s from 3:00pm to 5:00pm.

RESOLUTION NO 2021-54

USE OF FACILITIES – LYNDONVILLE YOUTH BASEBALL SOFTBALL

ON MOTION of Trustee Holland, seconded by Trustee Kenyon, to approve the use of facilities request from the Lyndonville Youth Baseball Softball as requested.

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

Report – Code Enforcement Wolfe

- Mayor Belson confirmed everyone received Code Enforcement Wolfe’s report. Mayor Belson noted appearance tickets have been issued it’s in the court’s hands.

Report – Officer Larkin

- No report given at this time.

Report – Fire Chief Bane

- No report given at this time.
- Mayor Belson thanked the Lyndonville Fire Department for their services on the 4th of July.

Report – Attorney Bogan

- Nothing

Report – Clerk-Treasurer Woodworth

- American Rescue Plan Act (ARPA) funding – Clerk-Treasurer Woodworth presented the Board with the completed paperwork and asked for the Board’s approval for Mayor Belson to sign the agreements and for Clerk-Treasurer Woodworth to submit it. Clerk-Treasurer Woodworth noted the Village could be eligible for allocations up to \$79,777.00.

RESOLUTION NO 2021-55

AMERICAN RESCUE PLAN ACT – EXECUTION AND SUBMITTAL

ON MOTION of Trustee Holland, seconded by Trustee Kenyon, to approve Mayor Belson to sign the ARPA funding paperwork and to authorize Clerk-Treasurer Woodworth to submit the paperwork on behalf of the Village.

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

- Vouchers – Abstract A12-4 - A12-5 to be paid for 2020-2021
General \$ 13,584.05
Grand Total \$ 13,584.05
- Vouchers – Abstract A1-1 – A2 to be paid for 2021-2022
General \$ 57,804.77
Water \$ 12,778.70
Sewer \$ 13,108.49
Grand Total \$ 83,691.96

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RESOLUTION NO 2021-56

VOUCHERS TO BE PAID FOR ABSTRACTS A12-4, A12-5, A1-1, A1-2 & A2

ON MOTION of Trustee Wilson, seconded by Trustee Holland, to have Clerk-Treasurer Woodworth pay Abstracts A12-4, A12-5, A1-1, A1-2 and A2 # 15321 – 15401.

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

Report – Superintendent Woodworth

- Superintendent Woodworth noted the water and sewer line relocation project will be starting tomorrow for Dollar General.
- Superintendent Woodworth noted the Village of Lyndonville is back overseeing the Village of Medina’s water system.
- Superintendent Woodworth noted the bump on South Main Street is proposed to be looked at the week of July 19, 2021.
- Superintendent Woodworth presented the Board with a letter for retirement from Public Works Maintenance Worker Gary White effective August 3, 2021. Superintendent Woodworth asked the Board to accept the letter of retirement and to authorize Superintendent Woodworth to post the position to the public to be filled. Superintendent Woodworth and the Board thanked Mr. White for his 32 years of service.

RESOLUTION NO 2021-57

ACCEPTANCE OF LETTER OF RETIREMENT FROM GARY WHITE

ON MOTION of Trustee Wilson, seconded by Trustee Kenyon, to accept the letter of retirement of Public Works Maintenance Worker Gary White with regrets and to authorize Superintendent Woodworth to post the position to the public.

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

- Assistant Superintendent of Public Works – Superintendent Woodworth noted the position has been offered and accepted by Public Works Maintenance Worker Devan Freeman.

RESOLUTION NO 2021-58

APPOINTMENT OF ASSISTANT SUPERINTENDENT OF PUBLIC WORKS TO DEVAN FREEMAN

ON MOTION of Trustee Kenyon, seconded by Trustee Holland, to appoint Devan Freeman to the Assistant Superintendent of Public Works retroactive back to June 7, 2021.

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

- Superintendent Woodworth noted we are still pumping water 24 hours a day. Superintendent Woodworth noted if it continues for another week, we’ll need to implement some water restrictions.

Report – Trustee Kenyon

- Trustee Kenyon mentioned all facilities are opened back up for use.

Report – Trustee Holland

- Nothing

Report – Trustee Wilson

- Nothing

Report – Trustee Woodward Jr.

- Nothing - Absent

Report – Mayor Belson

- Mayor Belson thanked everyone involved with the 4th of July.

OLD BUSINESS:

- Water Rate Agreement – Work in progress.
- Waste Water Treatment Plant Disinfection – Clerk-Treasurer Woodworth presented the Board with the updated estimated cost for the project of \$604,325.00 for Chlorine and \$541,075.00 for UV, as well as the consolidated funding application, SEQR – Type II Action and Sexual Harassment Prevention Certification required resolutions to proceed with the grant application process. The Board discussed the difference between the UV and Chlorination and where the Village was at testing results wise.

RESOLUTION NO 2021-59

CONSOLIDATED FUNDING APPLICATION

Resolution of Support from the VILLAGE OF LYNDONVILLE for the 2021 New York State Consolidated Funding Application, Water Quality Improvement Project Wastewater Treatment Disinfection Improvements

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

WHEREAS, the Village of Lyndonville Board of Orleans County, supports the submission of a 2021 Consolidated Funding Application (CFA) on behalf of the Village, for the Water Quality Improvement Project (WQIP) program, for upgrades to the disinfection process at the wastewater treatment facility; and

WHEREAS, the New York State Department of Environmental Conservation (DEC) provides a competitive statewide reimbursement grant program for local governments, administered to directly address documented water quality impairments; and

WHEREAS, the Village has been notified by the DEC of upcoming modifications to their State Pollutant Discharge Elimination System (SPDES) permit, requiring them to provide effluent disinfection at the WWTP; and

WHEREAS, findings in the preliminary engineering study recommended improvements to the WWTP including installation of a disinfection system at the WWTP, greatly improving the quality of effluent discharged into the receiving stream;

NOW THEREFORE BE IT RESOLVED, it is anticipated that the Village Board, on behalf of the Village, will complete the necessary actions to authorize expenditures for the proposed project, as well as authorizes the Village Mayor to execute necessary documents relative to and as required for the application; and

BE IT FURTHER RESOLVED, the Village Board does hereby accept that they shall provide at least 25% match of the total of any grant funding awarded as a local match in the form of in-kind services or cash contributions hereby appropriated and obligated from New York State Environmental Facilities Corporation Revolving Loan Fund; and

BE IT FURTHER RESOLVED, that the Village of Lyndonville Board of Orleans County, recognizes and fully supports the submission of the 2021 CFA for WQIP on behalf of the Village for improvements to the wastewater treatment plant.

ON MOTION of Trustee Kenyon, seconded by Trustee Holland, to accept the Consolidated Funding Application resolution as stated.

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

RESOLUTION NO 2021-60
SEQR RESOLUTION - TYPE II ACTION

WHEREAS, the Village of Lyndonville Village Board, (hereinafter referred to as Village Board) is completing an application through the New York State Consolidated Funding Application (CFA) under New York State Department of Environmental Conservation (DEC) for a Water Quality Improvement Project for upgrades to the disinfection process at the Wastewater Treatment Plant located at 30 Railroad Avenue; and

NOW, THEREFORE, BE IT RESOLVED THAT, the Village Board does hereby classify the above referenced Action to be a Type II Action under 6 N.Y.C.R.R. Section 617.5 [c] [9] of the State Environmental Quality Review (SEQR) Regulations which constitute “construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities”; and

BE IT FURTHER RESOLVED THAT, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

BE IT FINALLY RESOLVED THAT, the Village Board in making this classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

ON MOTION of Trustee Kenyon, seconded by Trustee Holland, to accept the SEQR – Type II Action resolution as stated.

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

- Sexual Harassment Prevention Certification Form – Clerk Treasurer Woodworth presented the Board with the following certification: *By submission of this application, each applicant and each person signing on behalf of the applicant certifies, and in the case of a partnering application each party thereto certifies as to its own organization, under penalty of perjury, that the applicant has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of section two hundred one-g of the labor law.*

RESOLUTION NO 2021-61
SEXUAL HARASSMENT PREVENTION CERTIFICATION FORM

ON MOTION of Trustee Holland, seconded by Trustee Kenyon, to authorize Mayor Belson to execute the Sexual Harassment Prevention Certification Form.

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

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- Cannabis/Marijuana – Attorney Bogan advised the Board to think about it as a decision will need to be made in September/October. Attorney Bogan mentioned the letter received from Tobacco-Free GOW a program through Roswell Park Comprehensive Cancer Center offering free signage and templates for tobacco free policies/ordinances. Attorney Bogan asked Clerk-Treasurer Woodworth to reach out to Tobacco-Free GOW to obtain the free signage and templates on the policies/ordinances. Clerk-Treasurer Woodworth noted the Village already has a tobacco free policy on all Village property. Clerk-Treasurer Woodworth noted she’s provided a packet to the Board with advice from NYCOM for future discussion.

NEW BUSINESS:

- Hometown Hero Banners Program – Valerie Wells presented the Board with the Hometown Hero’s Banner program. Mayor Belson offered to provide 2-3 individuals to work with Mrs. Wells on the program. Trustee Wilson noted he’s the Legion & VFW liaison and he’d like to part of the program and the go between for the Village Board. Attorney Bogan informed the Board it’s been verified NYCOM, NYS Comptroller’s Office, the Bonadio Group and Tompkins Insurance Agency, whom all have advised that this a great program however it is not something that can be done financially at a municipal level due to General Municipal law restrictions. Attorney Bogan and the Board recommended that an outside organization like the Lyndonville Lions Club, Lyndonville Area Foundation, the American Legion or any non-for-profit be considered for the program. The Board discussed the Department of Public Works assisting with putting up and taking down of the banners. Superintendent Woodworth noted the Village of Medina has a bucket truck and has offered to help as well.

**RESOLUTION NO 2021-62
HOMETOWN HERO BANNER PROGRAM**

ON MOTION of Trustee Holland, seconded by Trustee Wilson, to allow the Hometown Hero Banner Program to be done in the Village with the Village having no financial responsibility for the program and for the Department of Public Works to assist the Hometown Hero Banner Program with putting up and taking down of the banners within the Village.

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

- National Grid – Street Lighting conversion to LED – The Board discussed the National Grid LED conversion program proposal. Superintendent Woodworth asked that it be tabled so he can look into it further and clarify the proposal.
- Main Street Grant – 29 South Main Street – Project delay letter – Clerk-Treasurer Woodworth presented a letter to the Board prepared by Grant Administrator Ed Flynn from LaBella Associates detailing the delay in the Main Street Grant Project. Clerk- Treasurer Woodworth asked the Board to approve the letter and authorize Clerk-Treasurer Woodworth to sign it.

**RESOLUTION NO 2021-63
MAIN STREET GRANT – PROJECT DELAY LETTER**

ON MOTION of Trustee Wilson, seconded by Trustee Holland, to approve the Main Street Grant project delay letter and to authorize Clerk-Treasurer Woodworth to sign it.

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

ON MOTION of Trustee Wilson, seconded by Trustee Kenyon, to adjourn the meeting at 6:48PM.

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

Teri M. Woodworth
Clerk-Treasurer