

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

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

**APPROVAL OF THE MINUTES**

**ON MOTION** of Trustee Woodward Jr., seconded by Trustee Covell, to accept the minutes of the August 1, 2016 Regular meeting.

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

**PRIVILEGE OF THE FLOOR:**

- Village Resident Teri Woodworth addressed the Village Board regarding her continued concern regarding cats in the community. Ms. Woodworth noted she asked the Village Board several months ago to consider putting some Village code in place to help the community with the ongoing issue with stray, homeless and feral cats. She noted that Village Attorney Schubel was working with the family members of 84 Eagle Street and looking into perusing public nuisance charges. Ms. Woodworth noted the property at 84 Eagle Street was cleaned up and the 20-30 stray, homeless and feral cats seem to have gone down. However given the warm summer weather the number of cats seems to be increasing again. Ms. Woodworth stated she witnessed the owner of 84 Eagle Street feeding at least 20 cats again. She also noted that 55 gallon plastic barrels with holes cut into them for the cats to go in are appearing again. Ms. Woodworth also noted that orange matter is now appearing in her yard and gardens from the cats and she's unsure if the matter is feces or vomit since she knows the cats are sick; the owners family has stated to Ms. Woodworth that the cats are sick. Village Resident Mary Kage noted that there is a stray and homeless cat issue on North Main Street as well. Attorney Bogan advised Ms. Woodworth to contact Orleans County Animal Control to have them come and pick up the sick cats. Ms. Woodworth stated she's tried Orleans County Animal Control, Orleans County Health Department, NYS DEC, SPCA and the only advise she was given was someone would have to get bitten before someone could do anything, this is why I'm asked the Village Board for help as a Village resident. Ms. Woodworth asked to Village Board to consider adopting the NYS Laws on spay and neutering of cats at the Village level and to consider putting a limit on the number of cats one is allowed to have as well as to ban the feeding of stray/homeless/feral cats. Ms. Woodworth noted she is a cat lover has she has a cat herself however she aware that stray/homeless/feral cats is an issue in the Village of Lyndonville, in Orleans County and all over. Attorney Bogan noted she will contact Orleans County Animal Control and see what can be done about removing the sick cats and if necessary she will contact Orleans County Sheriff Bower. Attorney Bogan added that if necessary she will send a letter to the home owner and copy Attorney Schubel regarding animals urinating, feces and/or vomiting in someone else's property is a public nuisance.

**USE OF FACILITIES**

- Village Hall - Lyndonville Little League is requesting use of the Village Hall on August 30, 2016 at 7:00pm for a meeting.

**RESOLUTION NO 2016-73**

**USE OF FACILITIES – LYNDONVILLE LITTLE LEAGUE**

**ON MOTION** of Trustee Covell, seconded by Trustee Woodward Jr. to approve the use of facilities for Lyndonville Little League for August 30, 2016.

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

**Report – Fire Chief Buffin**

- Report – 142 Calls for 2016; 24 Calls for August (8 EMS – Town, 5 EMS - Village, 3 - Good Intent , 2- CO, 1 - MA, 1 - MA FAST to Medina, 2 MVA - Town, 1 - Hazardous Condition and 1 - Gas Leak )
- Fire in Lockport - LFD was dispatched and was able to take one tanker and dumped 44, 500 gallons
- Chief Buffin noted several members are in training right now.
- Chief Buffin mentioned the LFD was denied the AFG grant and noted some items they hoped to use the grant for will now have to come out of this year's budget. They will be reapplying for the AFG grant when it reopens in October.
- Clerk-Treasurer Woodworth mentioned to Chief Buffin she hasn't received reimbursement from the Fire Department yet for the Elizaco, Inc refund check that came back payable to the LFD for \$92.10. Chief Buffin will check with LFD Treasurer Wells and get the reimbursement to the Village.

**Report – Code Enforcement**

- No report was provided

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**Report – Attorney Bogan**

- Nothing

**Report – Clerk-Treasurer Woodworth**

- Police Report - Confirmed everyone received Officer Larkin's police report.
- Files to be destroyed:
  - Reconciliations for bank information from the years: 2004, 2005, 2006, 2007, 2008, 2009
  - Water Bills —2010
  - Empty Deposit Book for Water Fund M&T Bank
  - Opening Checks for:
    - Water Fund, Receivable, Disbursements/Operations, Health, Sewer Fund, Trust & Agency and Payroll Account
  - Tompkins Investment Services: Statements from 2005, 2006, 2007, 2008 & 2009
  - NYClass Statements from: 2009 and 2010
  - BNY Mellon Statements: 2010
  - M&T Account Analysis Statement: 2009 & 2010
  - M&T Bank Statements:
    - General Fund: 2005, 2006, 2007, 2008 & 2009
    - Health Care: 2005, 2006, 2007, 2008, 2009 & 2010
    - Water Fund: 2005, 2006, 2007, 2008, 2009 & 2010
  - Bank of Castile Statements:
    - Disbursement Account: 2005, 2006, 2007, 2008, 2009, 2010 7 2011
    - General Fund: 2005, 2006, 2007, 2008, 2009 & 2010
    - Trust & Agency: 2006, 2007, 2008, 2009 & 2010
    - Sewer Fund: 2006, 2007, 2008, 2009 & 2010
    - Water Fund: 2005, 2006, 2007, 2008, 2009 & 2010

**RESOLUTION NO 2016-74**

**AUTHORIZATION TO DESTROY - FILES FROM 2005 TO 2011 AS LISTED**

**ON MOTION** of Trustee Covell, seconded by Trustee Woodward Jr. to approve Clerk-Treasurer Woodworth and Clerk PT Nicholson to destroy the documents stated from 2005 to 2011.

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

- Vouchers – Abstract A4 #10998 - 11051 to be paid

|                    |                     |
|--------------------|---------------------|
| General            | \$ 7,962.01         |
| Water              | \$137,668.31        |
| Sewer              | \$ <u>5,002.00</u>  |
| <b>Grand Total</b> | <b>\$150,632.32</b> |

**RESOLUTION NO 2016-75**

**VOUCHERS TO BE PAID FOR ABSTRACT A4-2017**

**ON MOTION** of Trustee Woodward Jr., seconded by Trustee Covell to have Clerk-Treasurer Woodworth to pay Abstract A4-2017 Vouchers #10998 - #11051.

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

**Report – Superintendent Woodworth**

- WTP Intake line - Superintendent Woodworth noted he had divers down to inspect and take pictures of the intake line. The line does show a build up of zebra mussels. Superintendent Woodworth advised the line will need to be cleaned in the near future.
- Leaf Machine - Superintendent Woodworth asked the Board for approval to purchase a new engine for the leaf machine.

**RESOLUTION NO 2016-76**

**PURCHASE AN ENGINE FOR THE LEAF MACHINE**

**ON MOTION** of Trustee Woodward Jr., seconded by Trustee Covell to authorize Superintendent Woodworth to purchase an engine for the leaf machine not to exceed \$3,500.00.

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

- Sidewalks - Superintendent Woodworth noted that the Village will not be getting to replacing any sidewalks this year; he suggested the money be held over until next year or used for purchasing a piece of equipment for plowing during the winter.
- New Truck - Superintendent Woodworth will be looking on the State website for a new truck for the DPW.
- 55 South Main - Superintendent Woodworth informed the Board that the owner of 55 South Main Street removed one of the water meters and turned it into Clerk-Treasurer Woodworth however the plumbing hasn't been inspected by the Village yet. Superintendent Woodworth asked Attorney Bogan what the next step would be. Attorney Bogan advised to send a letter to the owner requiring an inspection and attached the prior letter and Village code regarding water inspections.

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**Report – Trustee Covell**

- Old Sanitary Sewers on Main Street - Trustee Covell confirmed we are abandoning the old sanitary sewers on South Main Street.
- Sidewalk funds - Trustee Covell inquired if the unused sidewalk funds could be used for the abandonment of the old sanitary sewers. Superintendent Woodworth advised he needs to look into a piece of equipment for sidewalk plowing this winter first.
- West Ave - Trustee Covell asked if Superintendent Woodworth was going to use a camera to look up the line on West Avenue; Superintendent Woodworth is working on it.
- Water Tower - Trustee Covell inquired if the Village has received any updated information on quotes for the Water Tower maintenance.

**Report – Trustee Woodward Jr.**

- Nothing

**Report – Trustee Cousins**

- Nothing - Absent

**Report – Mayor Belson**

- Nothing

**OLD BUSINESS:**

- Water Rate Assessment – We are waiting on figures for maintenance on the Water Tower before starting discussing with the Town of Yates on the Water Rate Assessment.
- Planning Board - Attorney Bogan advised the Board that the Planning Board needs to be five members with two alternates, the Village should send the possible members a letter explaining the position and confirm they are interested in the position. She also noted that the terms are for five years and that the terms must be staggered.

**NEW BUSINESS:**

- Refund of overpayment to Lori Coke - Clerk-Treasurer Woodworth asked for approval to reimburse Village resident Lori Coke whom overpaid her tenants water/sewer bill.

**RESOLUTION NO 2016-77**

**REFUND TO LORI COKE**

**ON MOTION** of Trustee Woodward Jr, seconded by Trustee Covell to refund Lori Coke for overpayment on her tenants account that she made.

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

- M&T checking account Operations - Clerk-Treasurer Woodworth asked the Board for approval to close the M&T Operations bank account and to transfer the balance into the M&T Rec/Oper bank account.

**RESOLUTION NO 2016-78**

**CLOSE M&T BANK OPERATIONS BANK ACCOUNT**

**ON MOTION** of Trustee Covell, seconded by Trustee Woodward Jr. to authorize Clerk-Treasurer Woodworth to close the Operations bank account at M&T Bank and to transfer the balance to the Rec/Oper bank account at M&T Bank.

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

- Village Trustee - Mayor Belson noted he received a letter of interest and a resume from Mary Kage looking to join the Village Board.

**RESOLUTION NO 2016-79**

**VILLAGE TRUSTEE APPOINTMENT - MARY KAGE**

**ON MOTION** of Trustee Woodward Jr., seconded by Trustee Covell to appoint Mary Kage as Trustee of the Board of the Village of Lyndonville.

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

- MOU Agreement -

Memorandum of Understanding  
Between  
Orleans County  
And  
VILLAGE OF LYNDONVILLE POLICE DEPARTMENT  
July 2016

Orleans County public safety agencies recognize the need for interagency communication, interoperability, and cooperation. Orleans County law enforcement, fire response, and Emergency Medical Services (EMS) have well-established interoperability capabilities and mutual aid agreements in place. While these plans and agreements formally extend beyond jurisdictions, they tend to remain intra-discipline in practice--local public safety realities have highlighted the need for agencies to work together to establish communications interoperability and mutual aid plans - not only across traditional jurisdictional boundaries – but across disciplines as well.

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To remedy the intra-discipline communication problem, the Orleans County public safety agencies have worked cooperatively to develop an intra-jurisdictional interoperability solution. This solution establishes common communication talk paths and shared radio assets with procedures that are used by key public service officials, public safety officials, and public and private service executives.

The purpose of the intra-jurisdictional interoperability system is to provide a command-level communications structure for Orleans County and other key support agencies when managing any incident that affects public safety in Orleans County. This network transcends traditional or mutual intra-discipline aid in terms of purpose. The intra-jurisdictional interoperability system ensures an organized method of coordinating Orleans County resources to expedite efficient deployment of those resources and serves primarily as a logistics and unified command network.

The scope of the intra-jurisdictional interoperability system includes public safety agencies including police, fire, and EMS, as well as public service agencies within Orleans County. Each agency has its own interoperability capabilities beyond the intra-jurisdictional interoperability talk groups.

The interoperability talk groups are referred to as Common 7, Common 8 and Common 9 on the Orleans County P25 Trunked Radio System. The Orleans P25 Trunked Radio System is composed of these several talk groups which are common amongst all radios with access to the system.

The intra-jurisdictional interoperability talk groups are available for use on an as-needed basis any time multidiscipline operations dictate or at the discretion of the Emergency Management Office. At a minimum, use of the talk groups should be considered during the planning phase for all large preplanned events and incorporated into any written operations plans. In the case of unplanned events, use of the channel will be in accordance with procedures outlined in the Standard Operating Procedures (SOP).

By signing this agreement, each agency using the intra-jurisdictional interoperability talk groups agrees to participate in drills to the greatest possible extent. The purpose of these procedure requirements is to ensure awareness of the talk groups and to prepare any personnel for its use. Agencies with a signed MOU will be permitted to operate on the talk group.

Orleans County will be responsible for licensing and maintain the 800 MHz trunked system that make up the intra-jurisdictional interoperability talk groups.

Oversight of the intra-jurisdictional interoperability talk groups are administered through the Orleans County Radio System Advisory Committee.

Any issues affecting policy, recommendation, and/or subsequent change that alter the purpose of the intra-jurisdictional interoperability talk groups will be implemented only after a consensus is reached by the Orleans County Radio System Advisory Committee.

Accordingly, each agency must establish oversight authority and the level of delegation in reference to use of the intra-jurisdictional interoperability talk groups.

It is the responsibility of agency heads to ensure that the intra-jurisdictional-interoperability channel SOPs are followed when necessary and to ensure that agency personnel are trained appropriately.

Updates will take place after the Orleans County Radio System Advisory Committee meets and gains consensus on proposed changes. It is then the responsibility of the committee to decide the best possible method of dissemination to all affected agencies. In the event that a proposed change or technical upgrade to the intra-jurisdictional interoperability talk groups degrades the capability or changes the purpose of the talk groups, a new signature page verifying the understanding of changes may be required.

**RESOLUTION NO 2016-80**  
**MOU AGREEMENT**

**ON MOTION** of Trustee Woodward Jr., seconded by Trustee Covell to authorize the Mayor to execute the MOU Agreement with Orleans County.

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

- EMMA postings - Clerk-Treasurer Woodworth presented the Board with Municipal Solutions letter for approval to proceed with the required EMMA postings.

**RESOLUTION NO 2016-81**  
**EMMA POSTINGS**

**ON MOTION** of Trustee Covell, seconded by Trustee Woodward Jr. to have Municipal Solutions complete and file the required EMMA postings.

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

- Mayor Belson thanked Mary Kage for being interested in being on the Village Board.
- Ambulance Agreement - Attorney Bogan inquired where things stood with the ambulance agreement. Mayor Belson noted it's a work in progress. Attorney Bogan noted she has concerns in some of the verbiage when it gets closer to finalizing.

**ON MOTION** of Trustee Covell, seconded by Trustee Woodward Jr., to adjourn the meeting at 6:48pm.

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

*Teri M. Woodworth*  
Clerk-Treasurer