

Regular meeting of the Trustees, Village of Lyndonville was held on Monday, November 10, 2008 at the Village Hall. The meeting opened at 7:00 p.m.

PRESENT:	MAYOR	Marc F. Scarr
	TRUSTEES:	Wirt E. Bane
		Steve McAvoy
		James Whipple
Attorney for the Village		David C. Schubel
Code Enforcement Officer		Doug Rue
Supt. of Public Works		Terry M. Woodworth
Fire Chief		Larry Lonigan - absent

Other people present – Carla Woodworth and Lynne Johnson

### **RESOLUTION NO. 2008-72**

#### **APPROVAL OF THE MINUTES**

On motion of Steve McAvoy, seconded by Wirt Bane be it resolved that the minutes of the October 11, 2008 meeting be approved. Voted and carried.

**COMMUNICATIONS** – Marc reported that he received a response from Leg. Henry Smith, concerning the letter he wrote asking for an increase in the share of sales tax that the Village received.

**PRIVILEGE OF THE FLOOR**- Lynne Johnson reported that the County is currently working on the preliminary budget.

### **REPORTS**

Terry M. Woodworth –

- Terry reported that the last day for leaf pickup will be Tuesday, November 25<sup>th</sup>.
- Terry also reported that he had an inspection with the Health Department last week he is currently waiting for the report.

Fire Co. – nothing

David Schubel- reported on the meetings for the consolidation study between the Village of Lyndonville and the Town of Yates, and the water agreement for the cost of water to the Town of Yates for the next three years. He stated how nice it is that the Town of Yates and the Village of Lyndonville work so well together.

Doug Rue – nothing

Jim Whipple –

- Reported that he looked into the 45B tax exemption program. He does not see how it will fit within the Village. It was suggested that the Village table this matter.
- Jim presented the Orleans Local Development Corporation program. Mr. Whipple explained that this is a program with the Chamber of Commerce it is a rent subsidy program for businesses that want to open in a designated business district. The Village Board accepted the map Jim presented, defining the area for Lyndonville.

Steve McAvoy – nothing

Wirt Bane – nothing

Marc F. Scarr – Marc reported that Steve McAvoy has agreed to represent the Village as a member of the Orleans County Planning Board.

**Public Hearing** for Local Law No. 2 of the year 2008 opened at 7:15 p.m. Marc and Mr. Schubel gave an overview of the Local Law, also known as Enacting a Real Property Tax Exemption for Cold War Veterans. With no comments from the public the **Public Hearing** closed at 7:18 p.m.

**RESOLUTION NO. 2008-73**

**LOCAL LAW NO. 2 FOR THE YEAR 2008 – ENACTING A REAL PROPERTY TAX EXEMPTION FOR COLD WAR VETERANS**

On motion of Jim Whipple, seconded by Steve McAvoy, Local Law No. 2 for the year 2008 is HEREBY voted and carried.

**RESOLUTION NO. 2008-74**

**PAYMENT OF THE MONTHLY BILLS**

On motion of Wirt Bane, seconded by Jim Whipple the Clerk-treasurer is HEREBY authorized to pay the monthly bills as follows. Voted and carried.

Vouchers between 11309 and 11320 for the month of October, 2008.

General Fund	\$10,939.55
Water Fund	5,415.35
Sewer Fund	5,527.57

Vouchers between 11321 and 11380 for the month of November, 2008

General Fund	\$46,192.89
Water Fund	14,771.14
Sewer Fund	1,441.14

On the motion of Jim Whipple, seconded by Wirt Bane, the meeting adjourned at 7:19 p.m.

Debra D. Miller  
Clerk-Treasurer

**Water Rate**

AGREEMENT

AGREEMENT made as of the        day of November, 2008, by and between the TOWN OF YATES, (hereinafter "YATES"), and the Village of Lyndonville, (hereinafter "LYNDONVILLE").

WHEREAS, Yates and Lyndonville entered into a Municipal Cooperation Agreement dated June 2, 1994, and

WHEREAS, the said Municipal Cooperation Agreement provided for a periodic review of the wholesale rate for water to be sold by Lyndonville to Yates, and

WHEREAS, representatives of Yates and Lyndonville have met and arrived at a mutually acceptable wholesale rate, and

WHEREAS, Lyndonville and Yates wish to set forth their mutual understandings in writing.

NOW, THEREFORE, in consideration of the premises and the mutual agreements, hereinafter set forth, the parties agree as follows:

- (1) Yates will pay Lyndonville the following rates per 1,000 gallons of water effective as hereinafter set forth:

<u>Water Rate/1,000g</u>	<u>Effective Date</u>	<u>Effective Date of Billing to Town with New Rate</u>
\$2.25	12/1/08	3/1/09
\$2.32	12/1/09	3/1/10
\$2.39	12/1/10	3/1/11

- (2) Lyndonville will render bills quarterly to Yates on March 1, June 1, September 1 and December 1 using the rates set forth in paragraph (1) during the term of this Agreement.

- (3) In addition to foregoing, Yates will make annual payments to Lyndonville in the amount of \$16,000.00 each during the term of this Agreement which annual payments of \$16,000.00 each shall be applied to the debt service of the West Avenue water tower.

- (4) The term of this Agreement shall be three years commencing as of December 1, 2008.

DATED: November , 2008

Lyndonville

Attest:

By: \_\_\_\_\_

Marc F. Scar, Mayor

\_\_\_\_\_

Debra Miller, Clerk

DATED: November , 2008

Yates

Attest:

By: \_\_\_\_\_

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Brenda Donald, Clerk

**Local Law No. 2 for 2008**

**A Local Law Enacting a Real Property Tax Exemption for Cold War Veterans**

SECTION 1. LEGISLATIVE INTENT

It is the intent of the within Local Law to adopt a Local Law to provide a qualified owner an exemption for qualifying residential real property from taxation to the extent of fifteen percent of the assessed value of such property which exemption shall not exceed twelve thousand dollars and in addition to provide a disability exemption to the multiple of fifty percent of the disability rating not to exceed forty thousand dollars, all as set forth in Real Property Tax Law Section 458-b.

SECTION 2. COLD WAR VETERANS EXEMPTION

- (a) As is authorized by Real Property Tax Law Section 458-b, the Village of Lyndonville does hereby provide that qualifying residential real property shall be exempt from taxation to the extent of fifteen percent of the assessed value of such property; provided however that such exemption shall not exceed twelve thousand dollars or the product of twelve thousand dollars multiplied by the latest state equalization rate of the assessing unit, or, in the case of a special assessing unit, the latest class ratio, whichever is less.
  
- (b) In addition, as is authorized by Real Property Tax Law Section 458-b, to the exemption provided by paragraph (a) of this subdivision, where the Cold War veteran received a compensation rating from the United States Veterans Affairs or from the United States Department of Defense because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by fifty percent of the Cold War veteran disability rating; provided, however, that such exemption shall not exceed forty thousand dollars, or the product of forty thousand dollars multiplied by the latest state equalization rate for the assessing unit, or, in the case of a special assessing unit, the latest class ratio, whichever is less.

SECTION 3. EFFECTIVE DATE

The within Local Law shall be effective immediately upon passage subject to Real Property Tax Law Section 458-b and proper filing with the Office of the Secretary of State.