

Regular meeting of the Trustees, Village of Lyndonville was held on Monday, November 10, 2014 at the Village Hall. Meeting opened at 6:00 p.m.

PRESENT: Mayor: Stephen C. McAvoy
Trustees: Charles Covell
James Tuk
Ellen Tuohey
Danny Woodward Jr.
Clerk-Treasurer Teri Woodworth
Supt. of Public Works Terry M. Woodworth
Code Enforcement Officer Aaron Young
Attorney David Schubel
Fire Chief Jason Gerety
Public: Harold Suhr, John & Barb Champlin

APPROVAL OF THE MINUTES

ON MOTION of Trustee Tuk, seconded by Trustee Woodward Jr, to accept the minutes of the October 13, 2014 Regular meeting and the October 13, 2014 Planning Board meeting.

Vote: 5 Ayes (Covell, McAvoy, Tuk, Tuohey, Woodward Jr.); 0 Nays; 0 Abstain

PRIVILEGE OF THE FLOOR:

- Harold Suhr - Mr. Suhr expressed his concerns regarding the late fee he received on his bill for NL-1529. Mr. Suhr felt the sign posted on the front door stating the office was closed was unclear which caused him to pay his water bill late and therefore requested his late fee be waived. Mayor McAvoy stated its New York State Law that Municipalities are not allowed to waive late fees. The Board expressed that residents are given approximately six weeks to pay their water/sewer bills.

RESOLUTION NO 2014-105

PENALTY WAIVED

ON MOTION of Trustee Covell, seconded by Trustee Tuohey to deny Harold Suhr's request to have the penalty waived on 1529 North Lyndonville Road's water/sewer bill.

Vote: 5 Ayes (Covell, McAvoy, Tuk, Tuohey, Woodward Jr.); 0 Nays; 0 Abstain

Report – Attorney Schubel

- No response from Pennysaver Markets of Lyndonville owner of 11 Eagle Street who was served on October 6, 2014 with the demolition notice given 30 days to take action. Superintendent Woodworth asked for approval to have the appropriate asbestos testing done and to reach out to the Orleans County for assistance in demolition.

RESOLUTION NO 2014-106

DEMOLITION BIDS

ON MOTION of Trustee Woodward Jr., seconded by Trustee Tuohey to allow Superintendent Woodworth to obtain bids for asbestos testing and demolition of the green house located behind 29 South Main Street.

Vote: 5 Ayes (Covell, McAvoy, Tuk, Tuohey, Woodward Jr.); 0 Nays; 0 Abstain

Report – Code Enforcement Young

- Report: Building Permits - 1 - Building Permits Issued, 3 - Violation Notices and 1 - Appearance Ticket.
- Trustee Tuk inquired if Code Enforcement Young had noticed a boat parked in a front yard on Maple Avenue. Several Board members noted it will only be parked there for a short time before being put away for the winter.

Report – Fire Chief Gerety

- Report - YTD calls – 177, MTD calls – 16 (8 – EMS in Town, 1 – EMS in Village, 3 – Automatic Alarm, 1 - MVA in the Town, 1 - M/A Off Road Rescue and 2 - M/A FAST to Medina)
- New Member - Timothy Kenyon - has completed all the necessary paperwork and has been cleared by insurance.

RESOLUTION NO 2014-107

NEW MEMBER TIMOTHY KENYON

ON MOTION of Trustee Woodward Jr., seconded by Trustee Tuohey to approve new Lyndonville Fire Department member Timothy Kenyon.

Vote: 5 Ayes (Covell, McAvoy, Tuk, Tuohey, Woodward Jr.); 0 Nays; 0 Abstain

- New Fire Truck - Chief Gerety expressed his concerns regarding the need for a new fire truck. The new truck would replace Lyndonville # 66 & # 10. He stated #10's tank is leaking and the frame is in rough shape. The last quote Chief Gerety received for the desired new truck would cost approximately \$450,000.00. Trustee Tuk asked for the Fire Department to outline in writing why the new truck was necessary, what would be replaced and all the statistics on past fire calls where the truck would have been used.

Report – Clerk-Treasurer Woodworth

Regular meeting of the Trustees, Village of Lyndonville was held on Monday, November 10, 2014 at the Village Hall. Meeting opened at 6:00 p.m.

- Clerk PT Nicholson and Clerk-Treasurer Woodworth are working on files and items that can be destroyed in accordance with New York State MU-1 retention schedule.
- Time Warner Cable - Clerk-Treasurer Woodworth is waiting on a response from Time Warner Cable regarding the requested refunds.
- Shared Services Agreements for Code Enforcement - Attorney Schubel has not heard from either the Town of Yates or the Town of Carlton. Clerk-Treasurer Woodworth will follow up with both municipalities.
- KVS training - Clerk-Treasurer Woodworth advised that KVS is still looking to charge for training and at this point we have found a way to reconcile outside of KVS and don't feel it's necessary for any additional training costs at this time. Once fiscal year 2013 is complete by Brown & Co, P.C. and a list of journal entries are provided Clerk-Treasurer Woodworth will work with Clerk PT Nicholson on figuring out reconciling within KVS.
- Police Report - Confirmed everyone received Officer Larkin's police report.
- Vouchers – Abstract A6 #2000 - 2060 to be paid

General	\$ 15,524.74
Water	\$ 5,979.95
Sewer	\$ 5,371.13
Payroll	\$ 3,121.56
Grand Total	\$ 29,997.38

RESOLUTION NO 2014-108
VOUCHERS TO BE PAID

ON MOTION of Trustee Tuohey, seconded by Trustee Woodward Jr. to have Clerk-Treasurer Woodworth to pay Abstract A6 Vouchers #2000 - 2060.

Vote: 5 Ayes (Covell, McAvoy, Tuk, Tuohey, Woodward Jr.); 0 Nays; 0 Abstain

Report – Superintendent Woodworth

- Scrap Metal - Superintendent Woodworth asked for approval to sell some scrap metal.

RESOLUTION NO 2014-109
SALE OF SCRAP METAL

ON MOTION of Trustee Tuk, seconded by Trustee Tuohey to approval Superintendent Woodworth to sell surplus scrap metal.

Vote: 5 Ayes (Covell, McAvoy, Tuk, Tuohey, Woodward Jr.); 0 Nays; 0 Abstain

- E-Waste Shed - Superintendent Woodworth expressed concerns regarding the E-Waste shed as Albion Redemption Center has lost their contract with SunKing. Not sure what may happen in the future, in the mean time Albion Redemption is still collecting e-waste from the shed at this time.
- Dumpsite - Illegal dumping is still happening at the dumpsite. Superintendent Woodworth is going to have under video surveillance signs made to see if that helps. The Board discussed contacting NYS DEC Officer Fonda for assistance is determining who is illegally dump. The Board stated no more forgiveness going forward any and all violators should be ticketed/fined.
- Leaf Pickup - Last day will be November 25, 2014
- Street Light behind M&T Bank - was installed in 1972 and was approved in 1975 to be removed, the purpose was to light up the property when the Village water tower was there.

RESOLUTION NO 2014-110
STREET LIGHT REMOVAL

ON MOTION of Trustee Tuohey, seconded by Trustee Covell to approval the removal of the street light located behind M&T Bank that the Village pays for.

Vote: 5 Ayes (Covell, McAvoy, Tuk, Tuohey, Woodward Jr.); 0 Nays; 0 Abstain

- Creekview Drive - A public hearing was to be held in 1979 to have the one way street north of the Village Hall as Creekview Drive as requested by Harley Peters. There is no record that the public hearing happened. The Board decided to set a public hearing for December 10, 2014 at 6:15pm to officially name Creekview Drive.
- Water Tower - Superintendent Woodworth is waiting for figures from Utilities Service Group on maintenance. The inside of the water tower will need to be painted in the next two to three years.

Report – Trustee Covell

- Noted he heard of a County grant that could possibly assist in the necessary repairs needed to the flood gates and the north wall near the dam.

Report – Trustee Woodward Jr.

- Requested the Town of Yates, Village of Lyndonville and the Fire Department get together to start working on a five year plan as well as the current agreement is due to expire in 2015.

Regular meeting of the Trustees, Village of Lyndonville was held on Monday, November 10, 2014 at the Village Hall. Meeting opened at 6:00 p.m.

Report – Trustee Tuk

- Trustee Tuk stated the Village will need to get together with the Town of Yates regarding the costs of a potentially new fire truck. Trustee Covell inquired how the Town of Yates portion is figured, Clerk-Treasurer Woodworth will forward the spreadsheet that figures the Village and Town's contributions.
- Trustee Tuk mentioned the Medina Ambulance agreement is up in the air and was informed that the Village of Lyndonville is not specifically named in the agreement.
- Town of Yates Water Rate Agreement - The Board discussed they were ok with considering returning to the original formula that was used in the 1994 agreement. The Board did express concerns with the Town using close to 50% of the water the Village produces. Clerk-Treasurer Woodworth will inquire with Municipal Solutions as to where the Town of Yates 32% contribution on the debit schedules came from, specifically is it related to usage.

Report – Trustee Tuohey

- Nothing

Report – Mayor McAvoy

- Nothing

OLD BUSINESS:

- May 31, 2013 & May 31, 2014 fiscal year audits need to be completed. Clerk-Treasurer Woodworth has discussed the required audits in detail further with The Bondio Group and they have lowered their quote to \$16,000.00 for the two years. Toski & Co., P.C. quoted \$8,500.00 per year.

RESOLUTION NO 2014-111

MUNICIPAL AUDITS

ON MOTION of Trustee Tuohey, seconded by Trustee Tuk to approve The Bondio Group to audit fiscal years May 31, 2013 and May 31, 2014 for the sum of \$16,000.00.

Vote: 5 Ayes (Covell, McAvoy, Tuk, Tuohey, Woodward Jr.); 0 Nays; 0 Abstain

- Chatfield Engineers, P.C - presented the Board with copies of the Johnson's Pond & Old Sanitary Sewer Study's. The Board will review and discuss further at the next Board meeting.
- Zoning Map - Mayor McAvoy mentioned the proposed zoning map changes and after the first of the year will start the process on approving the changes.

NEW BUSINESS:

- March 18, 2015 Election Notice for two trustee's positions for a term of four years.

RESOLUTION NO 2014-112

DESIGNATION OF OFFICES TO BE FILLED IN THE NEXT GENERAL ELECTION

ON MOTION of Trustee Tuk, seconded by Trustee Woodward Jr.

WHEREAS, the next Village election will be held on March 18, 2015 and

WHEREAS, the Board of Trustees must designate by resolution and publish the offices which are to be filled in such election and the terms thereof,

NOW THEREFORE BE IT RESOLVED:

Section 1: That the Board of Trustees designated the following offices as vacant on March 31, 2015, to be filled at the Village election to be held March 18, 2015 for the following terms:

Trustee – Four year term
Trustee – Four year term

Section 2: The Village is hereby directed to publish this resolution in the Batavia Daily News

Vote: 5 Ayes (Covell, McAvoy, Tuk, Tuohey, Woodward Jr.); 0 Nays; 0 Abstain

- Clerk-Treasurer Woodworth noted she will be returning the unpaid property taxes to Orleans County later in the week. Approximately 20 properties are unpaid.

ON MOTION of Trustee Covell, seconded by Trustee Tuk, to adjourn the meeting at 8:30 p.m.

Vote: 5 Ayes (Covell, McAvoy, Tuk, Tuohey, Woodward Jr.); 0 Nays; 0 Abstain

Teri Woodworth
Clerk-Treasurer