

**Regular meeting of the Trustees, Village of Lyndonville was held on Monday, December 7, 2020 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.  
Trustees: Anne Marie Holland  
Kimberly Kenyon  
Darren Wilson  
Clerk-Treasurer Teri Woodworth  
Supt. of Public Works Terry M. Woodworth  
Code Enforcement Officer Dan Wolfe - Absent  
Attorney Katherine Bogan  
Fire Chief Ben Bane - Absent  
Public – Dialed in to Zoom:

**APPROVAL OF THE MINUTES**

**ON MOTION** of Trustee Wilson seconded by Trustee Kenyon, to accept the minutes of the November 2, 2020 regular meeting and the November 30, 2020 special meeting.

Vote: 5 Ayes (Belson, Holland, Kenyon, Wilson, Woodward Jr.); 0 Nays; 0 Abstain

**PRIVILEGE OF THE FLOOR**

- Nothing

**USE OF FACILITIES**

- Nothing

**Report – Fire Chief Bane**

- Report – 177 Calls for 2020; 8 Calls for November (1 – Loader Fire Town, 1 – FAST Team Ridgeway, 1 – CO2 False Alarm Town, 2 – Trees Down Town, 1 – MVA Town, 1 – EMS Town and 1 – Brush Fire Town)
- Mayor Belson noted Chief Bane wasn't present due to the Fire Department elections.
- Mayor Belson noted the 3-house fire in Albion and thanked all those who responded.

**Report – Code Enforcement Wolfe**

- No report was provided - Absent.

**Report – Attorney Bogan**

- Nothing

**Report – Clerk-Treasurer Woodworth**

- Clerk-Treasurer Woodworth confirmed everyone received Officer Larkin's police report.
- Clerk-Treasurer Woodworth presented the Board with the budget to actual report as of November 30, 2020.
- Vouchers – Abstract A6-1 – A7 # 14722 – 14795 to be paid

General	\$ 31,686.41
Water	\$ 54,903.49
Sewer	\$ 11,809.21
<b>Grand Total</b>	<b>\$ 98,399.11</b>

**RESOLUTION NO 2020-88**

**VOUCHERS TO BE PAID FOR ABSTRACTS A6-1 – A7**

**ON MOTION** of Trustee Woodward Jr., seconded by Trustee Kenyon, to have Clerk-Treasurer Woodworth pay Abstracts A6-1 – A7# 14722 – 14795.

Vote: 5 Ayes (Belson, Holland, Kenyon, Wilson, Woodward Jr.); 0 Nays; 0 Abstain

**Report – Superintendent Woodworth**

- Nothing
- Mayor Belson read letter from Lyndonville Central School thanking the Village Department of Public Works for their assistance in installing the two new flag poles at the school.

**Report – Trustee Kenyon**

- Trustee Kenyon noted how nice the trees for Christmas in Lyndonville look and was glad we were able to do the trees at least this year.
- Trustee Kenyon ask Trustee Woodward Jr. if the concern regarding use of the Fire Hall has been resolved. Trustee Woodward Jr. noted as far as he knows.

**Report – Trustee Woodward Jr.**

- Trustee Woodward Jr. noted the County radio tower should be up and running by mid-January 2021.
- Trustee Woodward Jr. mentioned he hasn't heard any more verbal complaints about use of the Fire Hall. Mayor Belson noted he believes the situation resolved itself.

**Report – Trustee Holland**

- Nothing

**Regular meeting of the Trustees, Village of Lyndonville was held on Monday, December 7, 2020 at the Village Hall. Meeting by teleconference via Zoom, the meeting opened at 6:00 PM**

**Report – Trustee Wilson**

- Trustee Wilson thanked Superintendent Woodworth and DPW for putting up Christmas decorations on Main Street.
- Trustee Wilson noted the Bonadio audit recommendation with regards to the sewer fund and rate. Trustee Wilson stated he wanted to go on record that he disagrees the sewer fund should be a fund. Trustee Wilson also stated he wanted on record that current sewer deficit is not the current Board’s fault that the deficit stems from over 10 years ago. Mayor Belson noted the Board will be looking into the sewer rates.

**Report – Mayor Belson**

- Mayor Belson thanked everyone involved in putting up trees for Christmas in Lyndonville.

**OLD BUSINESS:**

- Policing Reform Plan – Work in progress
- Pandemic Reform Plan – Work in progress
- Use of Facilities – Rental/Cleaning fee for the Fire Hall – Work in progress
- Water Rate Agreement – Work in progress

**NEW BUSINESS:**

- Memorandum of Agreement between the Village of Medina and Village of Lyndonville. The Board briefly discussed the agreement. Superintendent Woodworth explained all the help that the Village of Medina provides to the Village of Lyndonville, ex. Assistance with watermain breaks, sweeping our streets.

THIS MEMORANDUM OF AGREEMENT is made this 1<sup>st</sup> day of December, 2020, by and between the Village of Medina, a municipal corporation with offices at 600 Main Street, Medina, NY 14103 (hereinafter “MEDINA”) and the Village of Lyndonville, a municipal corporation with offices at 2 South Main Street, Lyndonville, NY 14098 (hereinafter “LYNDONVILLE”).

WHEREAS, due to unforeseen and uncontrollable events, MEDINA immediately requires the services of individuals with Class C and Class D licensing regarding water treatment, chlorination, storage and distribution for its Village water system for a temporary basis; and

WHEREAS, LYNDONVILLE has personnel available share with MEDINA who maintain said classifications to assist MEDINA with its Village water system for a temporary basis, (to wit: Terry Woodworth and Devan Freeman); and

WHEREAS both MEDINA and LYNDONVILLE along with the Count of Orleans participate in a Shared Services agreement in order to assist neighboring municipalities in times of need and to share equipment and personnel for the goal of providing vital government services to the residents of Orleans County at the most cost effective means possible.

NOW, in consideration of the foregoing, the Parties hereby agree as follows:

1. LYNDONVILLE agrees to supply to MEDINA, at no cost, the professional services as reasonably needed of Class C and Class D licensed Water Treatment Plant Operators Terry Woodworth and Devan Freeman, employees of LYNDONVILLE, for a temporary period of time, to oversee functions in MEDINA’S water system and water tank.
2. That the term of this Agreement is limited to February 28, 2021, however it may be extended on a monthly renewal basis for an additional 3 months upon mutual agreement of the parties.
3. This Memorandum of Agreement shall be effective as the date of execution and retroactive to December 1, 2020.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed by their duly authorized officers the day and year set opposite their respective signatures.

**RESOLUTION NO 2020-89**

**MEMORANDUM OF AGREEMENT BETWEEN THE VILLAGE OF MEDINA AND THE VILLAGE OF LYNDONVILLE**

**ON MOTION** of Trustee Wilson seconded by Trustee Kenyon, to approve the Memorandum of Agreement between the Village of Medina and the Village of Lyndonville and to authorize Mayor Belson to execute the agreement.

Vote: 5 Ayes (Belson, Holland, Kenyon, Wilson, Woodward Jr.); 0 Nays; 0 Abstain

- Arbor Day – Clerk-Treasurer Woodworth asked the Board to make April 30, 2021 Arbor Day for the Village of Lyndonville.

**RESOLUTION NO 2020-90**

**ARBOR DAY 2020**

**ON MOTION** of Trustee Holland seconded by Trustee Kenyon, to make April 30, 2021 Arbor Day for the Village of Lyndonville and authorize Mayor Belson to issue a proclamation.

Vote: 5 Ayes (Belson, Holland, Kenyon, Wilson, Woodward Jr.); 0 Nays; 0 Abstain

- Orleans County Resolutions:

**Regular meeting of the Trustees, Village of Lyndonville was held on Monday, December 7, 2020 at the Village Hall. Meeting by teleconference via Zoom, the meeting opened at 6:00 PM**

- ❖ Resolution No. 444-1020 - SUPPORTING ASSEMBLY BILL A.10932 AND SENATE BILLS. 8858 AS IT RELATES TO THE REPEAL OF THE PROVISIONS OF THE HIGHWAY LAW AND TRANSPORTATION CORPORATION LAW TO REDUCE THE COST OF EXPANDING BROADBAND ACCESS

WHEREAS, Governor Cuomo has pledged to bring broadband to every area in New York State by launching the "Broad band For All" initiative in the Summer of 2015, investing more that \$550 million through three rounds of grants to secure high speed internet upgrades for the most rural, underserved parts of New York State, including several areas in Orleans County; and

WHERE AS, many New Yorkers in Orleans County still do not have access to broadband capabilities which has extremely complicated the need of Orleans County residents to work from home; from college students down to elementary students having the inability to obtain quality education when remote learning is necessary; and the need for tele-health from our homes all due to the recent COVID 19 pandemic and

WHEREAS, broadband should be deemed a fundamental right or an essential utility as comparable to electricity or water, but the cost of expanding broadband is too high and hindering this expansion; now be it WHE REAS, the State Department of Transportation started charging fees this year to fiber optic cable installers who build lines in a state-controlled highway right of way; and

WHERE AS, the 2019-2020 state budget contained language that enacted a right-of-way tax, or use and occupancy fee, allowing DOT to require installers to enter annual fee-bearing permits to charge corporations per foot, per cable, for fiber optic lines they own; and

WHERE AS, the fee does not apply to other utilities in the same area, including phone, water or sewer lines and the extra cost applies to lines constructed before the fee went into effect this year; now be it

RESOLVED, that the Orleans County Legislature does hereby support Assembly Bill A.10932 and Senate Bill S.8858 which seeks to repeal parts of highway law and transportation corporation law concerning the fiber optic tax and in doing this, the cost of expanding broadband access will be reduced and will further bring broadband to the residents of Orleans County and be it

FURTHER RESO LV ED, that the Clerk shall forward copies of this resolution to Governor Andrew Cuomo, Senator Rob Ortt; Assemblymen Steve Hawley and Michael Norris; Assemblyman Mark Walczyk, Senator Pamela Helming, Senator George Borrello; New York State Department of Transportation, NYSAC, and all others deemed necessary and proper

- ❖ Resolution No. 424-1020 - REQUESTING TO PRESERVE EXISTING AID TO LOCAL HEALTH DEPARTMENTS DURING THE COVID-19 PANDEMIC RESPONSE AND IMPROVE FUNDING FOR ESSENTIAL PUBLIC HEALTH INFRASTRUCTURE

WHEREAS, both state aid for general public health work and categorical funding support are critical to public health professionals who are working around the clock to address the COVID-19 pandemic; and

WHEREAS, the COVID-19 pandemic is the most significant public health crisis of this century; ana

WHEREAS, local health departments have both the mission and statutory responsibility to promote health and prevent and protect their communities for disease;

WHEREAS, in public health emergencies, local health department staff are the essential, experienced first responders for their communities; and

WHEREAS, response to the pandemic requires local health departments to utilize all their core public health services capabilities; and

WHEREAS, the ability to continue disease control activities, including contact tracing, case investigation, and where needed isolation or quarantine, is critical to controlling the spread of communicable disease, like COVID-19, in communities; and

WHEREAS, both core public health service delivery and public health emergency response relies on the experience and expertise of the public health workforce; and

WHEREAS, ongoing hiring freezes, recruitment and retention challenges and structural funding barriers limit the ability of local health departments to hire, train and retain staff with the expertise and experience needed as the existing public health workforce reaches retirement age; and

WHEREAS, since 2011, outside of New York City, local health department staffing has decreased by 33% through lay-offs, attrition and hiring freezes with much of it linked to state funding; and

WHEREAS, the loss of skilled local health department staff during this crisis has already and will continue to significantly hamper a department's ability to continue effective pandemic response; and

WHEREAS, similarly, loss of funding for supplies, equipment and other non-personnel expenses will severely hamper local response; and

WHEREAS, the economic recovery and reopening of New York's communities directly relies on continued reduction and control of the spread of COVID-19; and

WHEREAS, any reductions or spending restrictions in funding to local health 6 departments places this ongoing health and economic recovery at risk.

NOW, THEREFORE, BE IT RESOLVED, that the Orleans County Legislature calls upon the state to maintain and protect funding for local health departments; and be it

**Regular meeting of the Trustees, Village of Lyndonville was held on Monday, December 7, 2020 at the Village Hall. Meeting by teleconference via Zoom, the meeting opened at 6:00 PM**

FURTHER RESOLVED, that the State Department of Budget reimburse increased allocations to local health departments in accordance with the New York State Health Commissioner's declaration of an Imminent Threat to Public Health, section 621 of NYS Public Health Law; and be it

FURTHER RESOLVED, the State Department of Budget approve and reimburse increased allocations to local health departments following the ITPH declaration; and be it

FURTHER RESOLVED, that local health departments be declared exempt from reductions in state aid now during COVID-19 and future during public health crises; and be it

FURTHER RESOLVED, that any funding allocated to local health departments be allocated with flexibility to ensure county health officials can use the funding in ways that best represent the needs of their communities without a required and complex approval process; and be it

FURTHER RESOLVED, that the Executive and Legislative leaders work together with NYSAC and the New York State Association of County Health Officials to identify resources to increase funding for and advance our public health capacity to maintain and enhance this essential infrastructure to protect all New Yorkers; and be it

FURTHER RESOLVED that the Clerk of the Legislature forward copies of this resolution to Governor Andrew Cuomo, Senator Robert Ort; Assemblyman Steve Hawley, Assemblyman Michael Norris, NYSAC and all others deemed necessary and appropriate.

❖ Resolution No. 412-1020 - URGING THE GOVERNOR AND LEGISLATURE TO INCREASE SUPPORT FOR COMMUNITY COLLEGES

WHEREAS, under state law, funding for community colleges is to be provided through state aid, a county and town sponsor contribution, and student tuition and fees; and

WHEREAS, the establishment and continued operation of a statewide community college system was based on an ongoing state aid funding commitment of at least one third, and up to 40%, of community college operating costs; and

WHEREAS, the state funding amount has declined over the years and is now below their historic one- third commitment, and far short of 40%; and

WHEREAS, the Legislature and Governor have been providing modest increases in state aid the last few years, but this year the state budget effectively reduced community college base aid by \$22.7 million; and

WHEREAS, the global pandemic has significantly impacted all institutions of higher learning, including community colleges, and the students who have had to transition to online learning; and

WHEREAS, community colleges are considering contingency plans in the event that they cannot continue to conduct traditional in-class learning through the fall semester; and

WHEREAS, community college budgets have been negatively impacted by the pandemic and shutdown of the traditional college learning environment; and

WHEREAS, many community colleges are requiring sponsors or students to pay more this academic year.

NOW, THEREFORE, BE IT RESOLVED, the Orleans County Legislature calls on the Governor and State Legislature to work with the State University of New York to determine and consider ways to level the costs for students and sponsoring counties and towns; and be it

FURTHER RESOLVED that copies of this resolution be sent to Governor Andrew Cuomo, Senator Robert Ort; Assemblyman Steve Hawley, Assemblyman Michael Norris, NYSAC, Orleans County Townships and all others deemed necessary and appropriate.

❖ Resolution No. 413-1020 - AUTHORIZING CAPPING COMMUNITY COLLEGE EXPENSES

WHEREAS, this Legislature values our residents expanding their knowledge base by utilizing our local community colleges; and

WHEREAS, the Legislature has historically budgeted significant portion of the tax levy to pay the community college expenses for our residents; and

WHEREAS, the 2020 budgeted expense for community college expenses was \$2,050,000 or 11.3% of the tax levy; and

WHEREAS, the statute for the community college expense may be found in the Consolidated Laws of New York, Education, Title 7, Article 126, Section 6304. Specifically, " that taxes to pay the local sponsor's share of operating costs, or the operating shares of the community college region charged to the county, may be charged back to the cities and towns in the county in proportion to the number of students attending the community college each term who were residents of each such city or town at the beginning of such term" now be it

RESOLVED, that this Legislature authorizes the capping of community college expenses in future budgets to \$2,050,000 beginning in 2021 and be it

FURTHER RESOLVED, that beginning in 2021 operating shares of the community college region charged to the county, will be charged back to the towns in the county in proportion to the cost of the students in each town attending community college for each term who were residents of each such town once \$2,050,000 has been expended in a calendar year and be it

**Regular meeting of the Trustees, Village of Lyndonville was held on Monday, December 7, 2020 at the Village Hall. Meeting by teleconference via Zoom, the meeting opened at 6:00 PM**

FURTHER RESOLVED, that the invoicing of these charges shall occur once the last semester invoicing is complete for the community colleges our residents attend for the calendar year.

**RESOLUTION NO 2020-91**

**SUPPORT ORLEANS COUNTY RESOLUTIONS 444-1020, 424-1020, 412-1020 AND 413-1020**

**ON MOTION** of Trustee Kenyon seconded by Trustee Wilson, to support Orleans County resolutions 444-1020, 424-1020, 412-1020 and 413-1020.

Vote: 5 Ayes (Belson, Holland, Kenyon, Wilson, Woodward Jr.); 0 Nays; 0 Abstain

**ON MOTION** of Trustee Woodward Jr., seconded by Trustee Holland, to adjourn the meeting at 6:17PM.

Vote: 5 Ayes (Belson, Holland, Kenyon, Wilson, Woodward Jr.); 0 Nays; 0 Abstain

*Teri M. Woodworth*  
Clerk-Treasurer