

Special meeting of the Trustees, Village of Lyndonville was held on Monday, February 29, 2016 at the Village Hall. Meeting opened at 1:25 p.m.

PRESENT:	Deputy Mayor:	James Tuk
	Trustees:	Charles Covell
		Ellen Tuohey
		Danny Woodward Jr. - Absent
	Clerk-Treasurer	Teri Woodworth
	Supt. of Public Works	Terry M. Woodworth - Excused
	Code Enforcement Officer	
	Attorney	David Schubel - Excused
	Fire Chief	Scott Buffin - Excused
	Public:	

Report – Deputy Mayor Tuk

- Code Enforcement Officer - Deputy Mayor Tuk informed the Board he had interviewed Dan Strong and Michael Hartman for the position of Code Enforcement. He noted that the Village's budget wouldn't be able to support the salary Mr. Strong required. Deputy Mayor Tuk advised he'd like to hire Michael Hartman whom is currently the Code Enforcement/Assessor for both the Town of Royalton and the Town of Hartland. Deputy Mayor Tuk presented the Board with the job offer letter for Michael Hartman.

Dear Mr. Hartman,

The Village of Lyndonville is pleased to offer you part-time employment as the Code Enforcement Officer with the Village of Lyndonville with the following terms:

1. **Rate of pay:** \$ 25.00 per hour less applicable deductions.
2. **Mileage:** \$0.50 per mile for weekly Village inspection.
3. **Emergency Call Outs:** Paid at the hourly rate of pay for the number of hours worked (minimum of two hours) as well as \$0.50 per mile from the Village Hall to the location.
3. **Hours of Work:** Approximately 4 hours each week. (Suggested Schedule: Saturday 8:00am – 12:00 noon, day and hours may vary with approval)
4. **Paid Leave:** Part-Time employees are not eligible for paid holidays or paid vacation, sick or personal leaves. If a holiday should fall on the scheduled work day, the employee will work an alternate day that week of their choice.
5. **Duties:**

A. ADMINISTER THE ZONING LAW

The Zoning Enforcement Officer shall review all applications for zoning permits and, if the minimum requirements of this Local Law are met, the Zoning Enforcement Officer shall issue a permit.

If the applicant's plans do not meet the Zoning requirements, the Zoning Enforcement Officer must deny the permit. The Zoning Enforcement Officer may not use discretionary judgment. The Zoning Enforcement Officer must enforce the "Letter of the Law."

B. REFERRAL OF APPEALS TO THE ZONING BOARD

In the event that a applicant for a zoning permit files an appeal from an order, requirement, decision, interpretation or determination issued by the Zoning Enforcement Officer, or an appeal for a variance from the provisions of this Local Law, the Zoning Enforcement Officer shall notify the Chairperson of the Zoning Board of Appeals and shall forward all necessary supporting information and documentation to the Chairperson. The Zoning Enforcement Officer shall attend all Zoning Board of Appeals meetings; compensatory time off shall be taken for attending Zoning Board of Appeals meetings.

C. REFERRAL TO VILLAGE PLANNING BOARD

Any application for a Special Use Permit, change of zoning district or use that requires Site Plan Review shall be forwarded by the Zoning Enforcement Officer to the Chairperson of the Village Planning Board along with all necessary supporting information and documentation.

D. CITING ZONING VIOLATIONS AND ISSUING APPEARANCE TICKETS

1. For any plans, construction, building, use of premise found in violation of this Local Law, the Zoning Enforcement Officer shall order the responsible party, in writing, to remedy the violation(s). He shall have the authority to commence proceedings to punish violations pursuant to Section 108 of Article I of this Local Law.
2. The Zoning Enforcement Officer may enter any premise or building during reasonable hours in the course of his duties in accordance with State Law after due written notice has been given.
3. The Zoning Enforcement Officer shall be authorized and empowered to issue appearance tickets pursuant to the New York State Criminal Procedure Law.

E. REPORT TO VILLAGE BOARD OF TRUSTEES

The Zoning Enforcement Officer will be required to attend and provide a monthly report to the Village Board of Trustees at the regularly scheduled monthly meetings describing and enumerating actions taken and permits issued shall be given.

F. PUBLIC RECORD

1. The Zoning Enforcement Officer shall file all permit actions with the Village Clerk.
2. The Zoning Enforcement Officer shall maintain a current list and a map depicting the location of non-conforming uses to determine if discontinuance or destruction, or change in use or vacancy has taken place.

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3. The Zoning Enforcement Officer shall maintain a current list and a map depicting the locations of variances and special use permits to use to determine compliance with the conditions and safeguards placed on variances and special use permits.
4. When a special use permit is required, the Zoning Enforcement Officer shall not issue a zoning permit unless and until the Village Planning Board approves the special use permit and provides the Zoning Enforcement Officer with a written directive to issue such zoning permit. Any special conditions imposed by the Village Planning Board on the special use permit approved shall be enumerate on the zoning permit.
5. When a variance is required, the Zoning Enforcement Officer shall not issue a zoning permit unless and until the Zoning Board of Appeals approves the variance or variances and provides the Zoning Enforcement Officer with a written directive to issue such zoning permit. Any specific conditions imposed by the Zoning Board of Appeals on the variance(s) granted shall be enumerated on the zoning permit.

6. **Training/Certification:** Must complete the New York State Code Enforcement certification within twelve (12) months from commencement of your employment. Also complete the required annual New York State Code Enforcement training/certification. Any training expenses incurred may be submitted to the Village Board for consideration of reimbursement.

7. **Commencement of employment:** Your employment will commence on 03/05/2016 upon completion of the required employment paperwork and drug testing.

Either you or the Village of Lyndonville may end this contract for any reason by giving ten (10) days advance written notice of termination. In the event cause for termination without notice exists, the Village of Lyndonville may terminate the contract immediately.

If you have any questions regarding any of these terms, please contact me immediately. If you are prepared to accept this offer of employment, please sign below in the space provided and a copy of this letter will be returned to you.

RESOLUTION NO 2016-19

HIRE MICHAEL HARTMAN AS THE VILLAGE OF LYNDONVILLE'S CODE ENFORCEMENT/ZONING OFFICER

ON MOTION of Trustee Tuohey, seconded by Trustee Covell to hire Michael Hartman as the Village of Lyndonville's Code Enforcement/Zoning Officer based on the terms of the job offer letter.

Vote: 3 Ayes (Covell, Tuk, Tuohey); 0 Nays; 0 Abstain

ON MOTION of Trustee Covell, seconded by Trustee Tuohey, to adjourn the meeting at 1:47 p.m.

Vote: 3 Ayes (Covell, Tuk, Tuohey); 0 Nays; 0 Abstain

Teri Woodworth
Clerk-Treasurer