

**Regular meeting of the Trustees, Village of Lyndonville was held on Monday, February 3, 2020 at the Village Hall. Meeting opened at 6:00 PM**

PRESENT: Mayor: John Belson  
 Deputy Mayor: Danny Woodward Jr.  
 Trustees: Andrew Cousins  
 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: Carla Woodworth

**APPROVAL OF THE MINUTES**

**ON MOTION** of Trustee Wilson seconded by Trustee Woodward Jr., to accept the minutes of the January 6, 2020 regular meeting.

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

**PRIVILEGE OF THE FLOOR**

- Nothing

**USE OF FACILITIES**

- Village Hall – Lyndonville Little League requested use of the Village Hall on January 28, 2020 from 7:00pm to 9:00pm for a meeting.
- Village Hall – Lyndonville Area Foundation is requesting use of the Village Hall on February 6, 2020 from 7:00pm to 7:30pm for a meeting.
- Fire Hall – Wally Snyder is requesting use of the Fire Hall on April 4, 2020 from 5:00pm to 7:00pm for a baby shower.
- Fire Hall – Rebecca Strickland is requesting use of the Fire Hall on April 11, 2020 from noon to 6:00pm for a baby shower.
- Fire Hall – Cheryl Mapes is requesting use of the Fire Hall on May 9, 2020 from 11:00am to 5:00pm for a bridal shower.

**RESOLUTION NO 2020-11**

**USE OF FACILITIES – LYNDONVILLE LITTLE LEAGUE, LYNDONVILLE AREA FOUNDATION, WALLY SNYDER, REBECCA STRICKLAND AND CHERYL MAPES**

**ON MOTION** of Trustee Cousins, seconded by Trustee Woodward Jr., to approve the use of facilities as requested by Lyndonville Little League, Lyndonville Area Foundation, Wally Snyder, Rebecca Strickland and Cheryl Mapes.

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

**Report – Fire Chief Bane**

- Nothing – Absent - No report was given
- Trustee Woodward Jr. mentioned he received a complaint from the Fire Department regarding the use of facilities on February 1, 2020. He mentioned someone from the event parked in front of a truck bay and refused to move their vehicle and they took tables and chairs out of the back room they weren't supposed to be using. Clerk-Treasurer Woodworth noted she received a similar complaint and contacted the person regarding the complaint and inquired how she obtained access without getting a key. The person noted she wasn't aware of the no parking zone and moved the vehicle as soon as she was asked to move. Trustee Woodward Jr. asked that non-members requesting use be made aware that the back room is for the Fire Department members only. Clerk-Treasurer Woodworth noted she makes it very clear to non-members that the back room is off limits with exception to use the handicap bathroom when needed.

**Report – Code Enforcement Wolfe**

- Mayor Belson noted he spoke with Code Enforcement Wolfe regarding he hasn't submitted a monthly report since July and requested he submit a report regularly going forward.

**Report – Attorney Bogan**

- Nothing

**Report – Clerk-Treasurer Woodworth**

- Clerk-Treasurer Woodworth confirmed everyone received Officer Larkin's Police Report.
- Clerk-Treasurer Woodworth confirmed the Board received the "Budget to Actual" report.
- Clerk-Treasurer Woodworth gave the Department heads the request for budget estimates and the budget calendar.
- Clerk-Treasurer Woodworth asked for approval to make the following Budget Transfers:

<b>Budget Transfers</b>			
<b>Account Number</b>	<b>Account Name</b>	<b>Increase</b>	<b>Decrease</b>
A0-1320-004	Auditor Contractual	\$4,000.00	
A0-1325-002	Clerk-Treasurer Equipment		\$4,000.00
A0-1910-004	Unallocated Insurance	\$2,480.08	
A0-1990-004	Contingent Fund		\$2,480.08

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A0-3410-491	Fire Truck Maintenance	\$5,563.80	
A0-3410-002	Fire Equipment		\$5,563.80
A0-5110-004	Maintenance of Roads Contractual	\$12,200.94	
A0-5110-002	Maintenance of Roads Equipment		\$9,890.01
A0-5110-004	Maintenance of Roads Personal Services		\$2,310.93
G0-1920-004	Municipal Association Dues	\$1,423.73	
G0-8110-002	Sewer Admin. Equipment		\$1,423.73
G0-8130-002	Sewage Treatment & Disposal. Equipment	\$2,622.19	
G0-8120-004	Sewage Collecting Contractual		\$2,622.19
G0-8130-004	Sewage Treatment & Disposal Contractual	\$1,293.21	
G0-8120-002	Sewage Collecting Equipment		\$1,293.21

**RESOLUTION NO 2020-12**  
**BUDGET TRANSFERS**

**ON MOTION** of Trustee Woodward Jr., seconded by Trustee Kenyon, to approve Clerk-Treasurer Woodworth to make the budget transfers as presented.

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

- Clerk-Treasurer Woodworth ask the Board for approval to destroy the following documents:

Items to be Destroyed	Year	NYS MU-1 Retention Requirement
Abstracts/Vouchers/Invoices/Packing Slips	6/1/2012 - 5/31/2013	6 Years
Deposit Book - Disbursement	11/28/2011 - 3/29/2012	6 Years after date of most recent entry
Deposit Book - Receivable	6/24/2013 - 7/12/2013	6 Years after date of most recent entry
Deposit Book - Receivable	7/12/2013 - 8/27/2013	6 Years after date of most recent entry
Deposit Book - Receivable	8/27/2013 - 10/8/2013	6 Years after date of most recent entry
Deposit Book - Receivable	10/8/2013 - 11/22/2013	6 Years after date of most recent entry
Deposit Book - Receivable	11/29/2012 - 1/11/2013	6 Years after date of most recent entry
Deposit Book - Receivable	1/11/2013 - 3/18/2013	6 Years after date of most recent entry
Deposit Book - Receivable	3/19/2013 - 5/13/2013	6 Years after date of most recent entry
Deposit Book - Receivable	5/13/2013 - 6/21/2013	6 Years after date of most recent entry
Deposit Book - Sewer Fund	7/10/2012 - 7/25/2012	6 Years after date of most recent entry
Deposit Book - Sewer Fund	1/18/2012 - 7/10/2012	6 Years after date of most recent entry
Deposit Book - Sewer Fund	7/14/2011 - 1/13/2012	6 Years after date of most recent entry
Deposit Book - Sewer Fund	12/10/2010 - 7/1/2011	6 Years after date of most recent entry
Deposit Book - Sewer Fund	6/20/2011 - 4/13/2012	6 Years after date of most recent entry
Deposit Book - Sewer Fund	11/30/2009 - 3/4/2011	6 Years after date of most recent entry
Deposit Book - Sewer Fund	3/8/2010 - 6/11/2011	6 Years after date of most recent entry
Deposit Book - Water Fund	6/21/2012 - 7/25/2012	6 Years after date of most recent entry
Deposit Book - Water Fund	1/10/2012 - 6/21/2012	6 Years after date of most recent entry
Deposit Book - Water Fund	7/14/2011 - 1/6/2012	6 Years after date of most recent entry
Deposit Book - Water Fund	12/9/2010 - 6/27/2011	6 Years after date of most recent entry
Deposit Book - Water Fund	9/24/2010 - 7/15/2011	6 Years after date of most recent entry
Games of Chance Application/Investigation Reports - LFD	2015	3 Years after expiration of license or denial of application
Games of Chance Application/Investigation Reports - LFD	2014	3 Years after expiration of license or denial of application
Games of Chance Application/Investigation Reports - LFD	2013	3 Years after expiration of license or denial of application
Games of Chance Application/Investigation Reports - LFD	2012	3 Years after expiration of license or denial of application
Games of Chance Application/Investigation Reports - LFD	2011	3 Years after expiration of license or denial of application
Games of Chance Application/Investigation Reports - St Joes	2012	3 Years after expiration of license or denial of application
Games of Chance Application/Investigation Reports - St Joes	2011	3 Years after expiration of license or denial of application
M&T ACH Activity Summaries	6/1/2012 - 5/31/2013	6 Years
M&T Bank - Acct Analysis Statement	6/1/2012 - 5/31/2013	6 Years
M&T Bank Statement - General Fund	1/1/2011 - 6/30/2012	6 Years
M&T Bank Statement - Health Care	6/15/2012 - 7/13/2012	6 Years
M&T Bank Statement - Operations	7/14/2012 - 6/30/2013	6 Years
M&T Bank Statement - Payroll	6/15/2012 - 4/30/2013	6 Years
M&T Bank Statement - Receivable	6/14/2012 - 5/31/2013	6 Years
M&T Bank Statement - Sewer Capital Project	6/1/2012 - 5/31/2013	6 Years
M&T Bank Statement - Sewer Fund	6/1/2005 - 5/31/2012	6 Years
M&T Bank Statement - Trust & Agency	6/14/2012 - 4/30/2013	6 Years
M&T Bank Statement - Water Fund	12/31/2011 - 6/30/2012	6 Years

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M&T Investment Group Statements	6/1/2009 - 5/31/2010	6 Years
M&T Investment Group Statements	6/1/2010 - 1/31/2011	6 Years
M&T Investment Group Statements	4/30/2013	6 Years
Mortgage Tax	6/1/2011 - 5/31/2013	6 Years
NYCLASS Statements	6/1/2012 - 5/31/2013	6 Years
NYCLASS Statements	6/1/2010 - 5/31/2011	6 Years
NYCLASS Statements	6/1/2011 - 5/31/2012	6 Years
Parking Ticket - 487	11/12/2008	2 Years after any litigation has been completed
Parking Ticket - 488	2/14/2010	2 Years after any litigation has been completed
Parking Ticket - 490	7/10/2010	2 Years after any litigation has been completed
Parking Ticket - 491	3/2/2012	2 Years after any litigation has been completed
Purchase Orders	2011	6 Years
Receipt Book - 083751 - 083800	3/26/2009 - 2/1/2010	6 Years
Receipt Book - 083801 - 083850	2/4/2010 - 1/3/2011	6 Years
Receipt Book - 174351 - 174400	7/3/2012 - 6/20/2013	6 Years
Receipt Book - 174401 - 174450	1/3/2011 - 9/26/2011	6 Years
Receipt Book - 2011-1 - 2012-3	12/5/2011 - 6/6/2012	6 Years
Rent - SBA	6/1/2012 - 5/31/2013	6 Years
Rent - SBA	5/31/2012	6 Years
Sales of Scrap Metal Receipts	6/1/2012 - 5/31/2013	6 Years
Sales Tax from Orleans County	6/1/2011 - 5/31/2012	6 Years
Sewer Fund Capital Account Checking Book	Account Closed	6 Years
State Aid	10/1/2012	6 Years
Village Property Tax Bills	2012	6 Years
Village Property Tax Bills	2013	6 Years
Water/Sewer Payments	6/1/2012 - 5/31/2013	6 Years

**RESOLUTION NO 2020-13**

**DOCUMENTS TO BE DESTROYED IN ACCORDANCE TO THE NYS MU-1**

**ON MOTION** of Trustee Kenyon, seconded by Trustee Woodward Jr., to approve Clerk-Treasurer Woodworth to destroy the presented items in accordance to the NYS MU-1 schedule.

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

- Clerk-Treasurer Woodworth noted she received an email from MGM Associates who's an insurance broker looking to give the Village a quote on insurance. Mayor Belson noted Michael Montag contacted him regarding a quote. Clerk-Treasurer Woodworth asked the Board if they wanted to receive a quote from another broker or continue with the Village's current broker Tompkins Insurance. Trustee Kenyon asked if MGM would be able to offer anything more than our current broker. Clerk-Treasurer Woodworth noted that brokers can shop all insurance companies she's not aware that one broker can offer anything different than the other. Trustee Wilson asked how long the Village has been with Tompkins Insurance. Clerk-Treasurer Woodworth not since the early 2000's. Trustee Wilson wondered if we could get a better rate than Tompkins Insurance. Clerk-Treasurer Woodworth clarified Tompkins Insurance is a broker not an insurance agency. Trustee Cousins noted he'd like to compare the two brokers. Clerk-Treasurer Woodworth asked the Board for approval to release the requested information to MGM Associates for insurance quotes.

**RESOLUTION NO 2020-14**

**INSURANCE QUOTE**

**ON MOTION** of Trustee Wilson, seconded by Trustee Cousins, to authorize Clerk-Treasurer Woodworth to release the requested information to MGM Associates to obtain an insurance quote.

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

- Vouchers – Abstract A8-1, A8-2 & A9# 14003 – 14071 to be paid

General	\$ 15,433.16
Water	\$ 11,472.37
Sewer	\$ 18,709.56
Capital Fund – Dam	\$ 0.00
<b>Grand Total</b>	<b>\$ 45,615.09</b>

**RESOLUTION NO 2020-15**

**VOUCHERS TO BE PAID FOR ABSTRACT A8-1, A8-2 & A9**

**ON MOTION** of Trustee Cousins, seconded by Trustee Wilson, to have Clerk-Treasurer Woodworth pay Abstract A8-1 & A9 # 14003 - 14071.

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**Report – Superintendent Woodworth**

- NYS DOT – Superintendent Woodworth noted the NYS DOT contact him regarding the removal of 2 of the parking spots in front of the elementary school. Superintendent Woodworth informed Lyndonville Central School as its not Village owned parking lot.
- MRB – Superintendent Woodworth has been in contact with JP Schepp from MRB Group and he will be at the February 24<sup>th</sup> workshop to discuss funding for the WWTP disinfection.
- Water Main Breaks – Superintendent Woodworth noted the leak at Lyndonville Central School and the one on Main Street in front of Curley’s have been fixed. Superintendent Woodworth thanked the Village of Medina, Town of Shelby, Town of Yates and New York Rural Water Association for their help with fixing the leaks. Trustee Wilson inquired if these fixes were part of a bigger problem. Superintendent Woodworth noted there’s no way to know that. He mentioned the Town of Shelby and New York Rural Water brought their leak locators which helped locate the leaks. Superintendent Woodworth noted the joint they found leaking possibly had been leaking for years, it was a double flared joint that no one had ever seen before. Mayor Belson thanked the Department of Public Works for a great job and handling things so quickly.

**Report – Trustee Kenyon**

- Trustee Kenyon asked if Code Enforcement Wolfe be reporting monthly going forward. Mayor Belson noted yes that was what he requested of Code Enforcement Wolfe.

**Report – Trustee Woodward Jr.**

- Nothing

**Report – Trustee Wilson**

- Trustee Wilson noted Mayor Belson spoke with Ed Flynn from LaBella’s regarding a grant for replacement of water lines, there still is a grant for water lines. Trustee Wilson asked if we could get some information to move forward with trying to get the grant. Mayor Belson will request more information from LaBella Associates.

**Report – Trustee Cousins**

- Nothing

**Report – Mayor Belson**

- Mayor Belson noted he attended Lyndonville Fire Department’s banquet on Saturday. He thanked them for a great job handling the 2 calls that day and for the entire year. He noted Wes Bradley was given the Fireman of the Year award.

**OLD BUSINESS:**

- Nothing

**NEW BUSINESS:**

- NYCOM’s Resolution – Mayor Belson presented the Board with NYCOM’s proposed resolution requesting amendments to New York State’s Criminal Justice Reforms.

**RESOLUTION NO 2020-16**

**RESOLUTION OF THE VILLAGE OF LYNDONVILLE – REQUESTING AMENDEMENTS TO NEW YORK STATE’S CRIMINAL JUSTICE REFORMS**

WHEREAS while there was a need to reform New York’s criminal justice statutes during the 2019 state legislative session, it is widely recognized that several of the drastic changes in the laws pertaining to discovery are overly broad and vague and are having unintended consequences at the municipal level; and

WHEREAS the dramatically shortened time period in which prosecutors must disclose evidence to defendants and the broad expansion of the matters to which such discovery mandates apply will have significant cost, tax and justice implications for cities and villages with police departments, local justice courts or code/parking enforcement departments; and

WHEREAS the discovery reforms mandate prosecutors disclose evidence to the defense within 15 days of arraignment for criminal charges (even if the defendant is not in custody); and

WHEREAS drastically enlarging the scope of material that a prosecutor must review and deliver within 15 days will overwhelm the ability of city and village officials and employees to prosecute cases while managing their misdemeanor and felony caseloads, and will make it impossible to prosecute vehicle and traffic and local code infractions and violations in compliance with the new discovery mandates; and

WHEREAS arraignment must now take place within 20 days of desk appearance ticket issuance, thereby requiring justice courts, many of which convene monthly, to meet more frequently; and

WHEREAS cities and villages will not reap savings from the bail reform's reduction of the burden on county jails; and

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WHEREAS municipalities are already challenged with operating within the now-permanent 2% tax cap and have not received an increase in general purpose state aid in 11 years.

NOW THEREFORE BE IT RESOLVED THAT the Village of Lyndonville supports the following set of amendments proposed by the New York State Conference of Mayors that are consistent with the intent of the criminal justice reforms but which will allow for more effective and affordable implementation:

- Ensure that cities and villages are provided with additional financial and operational support to offset the cost of these mandated measures;
- Allow 60 days for prosecutors to disclose evidence to the defense for criminal charges;
- Exclude from the accelerated discovery requirements any charge not involving a misdemeanor or felony;
- Adjust the 20-day arraignment requirement to accommodate local courts that meet on a monthly basis;
- Allow prosecutors to withhold sensitive information, such as victim contact information, without having to obtain a court order.

AND BE IT FURTHER RESOLVED that this duly adopted resolution of the Village of Lyndonville be forwarded to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Senator Robert G. Ort and Assembly Member Steve Hawley, the New York State Conference of Mayors, and local media outlets.

**ON MOTION** of Trustee Wilson, seconded by Trustee Kenyon, to support requesting amendments to New York State’s Criminal Justice Reforms as stated.

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

- New York Main Street Program Grant – Authorized Signature – Mayor Belson asked the Board for approval for Clerk-Treasurer Woodworth to be the authorized signature for requesting reimbursements for the grant and for Mayor Belson to execute the authorized signature form.

**RESOLUTION NO 2020-17**

**NYMS PROGRAM GRANT – CLERK-TREASURER WOODWORTH TO BE THE AUTHORIZED SIGNATURE FOR REIMBURSEMENTS AND TO AUTHORIZE MAYOR BELSON TO EXECUTE THE AUTHORIZED SIGNATURE FORM**

**ON MOTION** of Trustee Wilson, seconded by Trustee Woodward Jr., to approve Clerk-Treasurer Woodworth as the authorized signature for reimbursements on the NYMS Program Grant and to authorize Mayor Belson to execute the authorized signature form.

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

- New York Main Street Program Grant – Designation of Depository for Direct Deposit – Mayor Belson asked the Board for authorize Clerk-Treasurer Woodworth to open a separate checking account with M&T Bank for the NYMS Program Grant.

**RESOLUTION NO 2020-18**

**NYMS PROGRAM GRANT – AUTHORIATION FOR CLERK-TREASURER WOODWORTH TO OPEN A SEPARATE CHECKING ACCOUNT WITH M&T BANK**

**ON MOTION** of Trustee Woodward Jr., seconded by Trustee Kenyon, to authorize Clerk-Treasurer Woodworth to open a separate checking account with M&T Bank for the NYMS Program Grant.

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

- New York Main Street Program Grant – Grant Administrator – Mayor Belson asked for approval for Clerk-Treasurer Woodworth to put out bid for a grant administrator for the NYMS Program Grant.

**RESOLUTION NO 2020-19**

**APPROVAL TO PUT OUT TO BID FOR A GRANT ADMINISTRATOR FOR THE NYMS PROGRAM GRANT**

**ON MOTION** of Trustee Woodward Jr., seconded by Trustee Cousins, to approve Clerk-Treasurer Woodworth put out to bid for a grant administrator for the NYMS Program Grant and for the sealed bids to be returned no later than noon on March 2, 2020 to be opened at the March 2, 2020 Board meeting.

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

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- New York Main Street Program Grant – Minority and Women-Owned Business Enterprises – Equal Employment Opportunity Policy Statement – Mayor Belson presented the Board with the M/WBE & EEO Policy Statement for approval.

**RESOLUTION NO 2020-20**

**MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES – EQUAL EMPLOYEMENT OPPORTUNITY POLICY STATEMENT**

**ON MOTION** of Trustee Woodward Jr., seconded by Trustee Kenyon, to accept the Minority and Women-Owned Business Enterprises – Equal Employment Opportunity Policy Statement as it reads and for Mayor Belson to execute it.

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

- Elections Inspectors - Clerk-Treasurer Woodworth asked the Board to approve Carla Woodworth as the chairperson of the Election on March 18, 2020 with Kathleen Evans, and Joyce Chizick, Kathleen Sillick, Patricia Gawne and Sherrie Manning as alternates.

**RESOLUTION NO 2020-21**

**APPOINTMENT ELECTIONS INSPECTORS CARLA WOODWORTH – CHAIRPERSON WITH KATHLEEN EVANS AND JOYCE CHIZICK, KATHLEEN SILLICK, PATRICIA GAWNE AND SHERRIE MANNING AS ALTERNATES**

**ON MOTION** of Trustee Cousins, seconded by Trustee Woodward Jr., to appoint Carla Woodworth as the chairperson of the elections along with Kathleen Evans, and Joyce Chizick, Kathleen Sillick, Patricia Gawne and Sherrie Manning as alternates.

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

- Clerk-Treasurer Woodworth asked the Board to approve paying the elections inspectors \$10.00 per hour.

**RESOLUTION NO 2020-22**

**ELECTIONS INSPECTORS PAY**

**ON MOTION** of Trustee Wilson, seconded by Trustee Woodward Jr., to pay the elections inspectors \$10.00 per hour.

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

- Village Election – Publish Notice – Clerk-Treasurer Woodworth asked the Board for approval to post an ad by March 7, 2020 advertising the March 18, 2020 election.

**RESOLUTION NO 2020-22**

**APPROVAL TO PUBLISH A NOTICE OF THE MARCH 18, 2020 ELECTION BY MARCH 7, 2020**

**ON MOTION** of Trustee Cousins, seconded by Trustee Woodward Jr., to approve Clerk-Treasurer Woodworth to publish a notice for the March 18, 2020 by March 7, 2020.

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

**ON MOTION** of Trustee Woodward Jr., seconded by Trustee Cousins, to adjourn the meeting at 6:36PM.

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

*Teri M. Woodworth*  
Clerk-Treasurer