

**Regular meeting of the Trustees, Village of Lyndonville was held on Monday, June 3, 2019 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
Public: Carla Woodworth, Vernon Fonda

APPROVAL OF THE MINUTES

ON MOTION of Trustee Wilson seconded by Trustee Kenyon, to accept the minutes of the May 6, 2019 regular meeting and May 10, 2019 special meeting.

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

PRIVILEGE OF THE FLOOR

- Vernon Fonda - Addressed the Board with regards to the Lyndonville Little League's proposal to build a concession stand. Mr. Fonda noted that he's in the process of obtaining commitment letters for donations toward the project for concrete, lumber, siding, labor etc. The league thus far has received \$2750.00 in donations and raised \$1,400.00 in concessions sales. Mayor Belson noted he needs to get together with Attorney Bogan regarding the proposal. Attorney Bogan noted we will need a memorandum of understanding, plans etc. Mr. Fonda noted he is working with other municipalities who currently have agreements for their concession stands. Keith McKinney expressed his excitement with the league trying to improve Lyndonville's image. Mayor Belson advised Mr. Fonda and Mr. McKinney that the Little League may want to obtain an attorney.

USE OF FACILITIES

- Lake Avenue Ball Fields – Lyndonville Soccer Club is requesting use of the Lake Avenue Ball Fields on Tuesdays and Thursdays from 4:30pm to 7:30pm from September 17, 2019 to October 24, 2019.
- Veterans Park – Yates Community Library is requesting use of Veterans Park on July 15, 2019 at 7:00pm, July 29, 2019 at 7:00pm and August 12, 2019 at 6:30pm for concerts in the Park.

RESOLUTION NO 2019-70

USE OF FACILITIES – LYNDONVILLE SOCCER CLUB AND YATES COMMUNITY LIBRARY

ON MOTION of Trustee Cousins, seconded by Trustee Wilson, to approve the use of facilities as requested by Lyndonville Soccer Club with the understanding that the Lyndonville Central School's approval takes priority and their schedule will be worked around and that pending insurance is provided; and for the Yates Community Library as requested.

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

Report – Fire Chief Bane

- Report – 69 Calls for 2019; 19 Calls for May (6 – EMS Village, 5 – EMS Town, 1 – Mutual Aid Ridgeway, 1 – Possible Structure Fire Town, 1 – FAST Team Medina, 2 – Smoke/CO Alarm Village and 3 – MVA Town)

Report – Code Enforcement Wolfe

- No report was provided

Report – Attorney Bogan

- Nothing

Report – Clerk-Treasurer Woodworth

- Clerk-Treasurer Woodworth confirmed everyone received Officer Larkin's Police Report.
- Vouchers – Abstract A12-2, A12-4 & A1 #13489 – 13515 to be paid

General	\$ 60,580.56
Water	\$ 9,848.49
Sewer	\$ <u>9,502.00</u>
Grand Total	\$ 79,931.05

RESOLUTION NO 2019-71

VOUCHERS TO BE PAID FOR ABSTRACT A12-2, A12-4 & A1

ON MOTION of Trustee Cousins, seconded by Trustee Wilson, to have Clerk-Treasurer Woodworth pay Abstract A12-2, A12-4 & A1 #13489 – 13515.

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

Report – Superintendent Woodworth

- Superintendent Woodworth noted the Dam Project has been pushed back to a July start date.

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Report – Trustee Kenyon

- Nothing

Report – Trustee Woodward Jr.

- Nothing

Report – Trustee Cousins

- Nothing

Report – Trustee Wilson

- Nothing

Report – Mayor Belson

- Local Waterfront Revitalization Program (LWRP) – Mayor Belson noted he will be contacting Jim Bensley with regards to Trustee Wilson’s question from the workshop.

OLD BUSINESS:

- Employee Handbook – The Board discussed the proposed updates, tabled until the July Board meeting so that all the Board has time to review.

NEW BUSINESS:

- Orleans County Resolution 159-419 – Opposing Driver’s Licenses Access and Privacy Act Concerning Undocumented Individuals

WHEREAS, HOLDING A DRIVER’S LICENSE IN New York State is a privilege, not a right; and

WHEREAS, the Driver’s License Access and Privacy Act, if passed would permit undocumented persons who are present in the United States illegally under federal law to obtain a driver’s license; and

WHEREAS, New York State presently suspends or revokes driver’s licenses for various illegal acts, yet this Act would reward entry in the United States with a driver’s license; and

WHEREAS, New York State REAL ID compliant documents cannot be issued to an undocumented individual under federal law; and

WHEREAS, adoption of the Act would create unacceptable security risks because:

- There is no guarantee the identity of undocumented individuals can be properly verified by the State of New York if the federal government has not issued a green card or visa, and the Act’s proposed privacy protections may frustrate federal immigration enforcement efforts.
- Local DMV offices do not have the considerable expertise needed to determine the authenticity of foreign birth certificates, foreign passports, or consular cards, nor to verify evidence of undocumented individual’s residency in the state.
- Driver Licenses can be used to obtain additional official identification documents intended only for United States citizens.

WHEREAS, there is no guarantee that passage of this Act would make New York State roads safer; now be it

RESOLVED, that this Legislature hereby opposes the adoption of the Driver’s License Access and Privacy Act as it concerns issuance of licenses to undocumented individuals, because of security risks and because driving is a privilege, not a right; and be it

FURTHER RESOLVED, that the Village Clerk-Treasurer shall forward copies of this Resolution to Governor Andrew M. Cuomo; Senate Majority Leader Andrea Stewart-Cousins; Senate Minority Leader John Flanagan; Senator Robert G. Ort; Speaker of the Assembly Carl Heastie; Assembly Majority Leader Crystal Peoples-Stokes; Assembly Minority Leader Brian M. Kolb; Assemblyman Steve Hawley, Assemblyman Michael J. Norris; NYSAC and all others deemed necessary and proper.

- Orleans County Resolution – 188-419 – Opposing New York State Senate Bill No. 2837 and Assembly Bill No. 2750 to Enact the Farmworkers Fair Labor Practices Act

WHEREAS, Agriculture is Orleans County’s number one industry where farms directly and indirectly provide valuable jobs, support local business and are a critical component of our County and Region’s economy, and,

WHEREAS, farms must compete for workers in a tight labor market, they value and respect their employees and pay over minimum wage to retain their skilled workforce, and H2A employees have a choice to work in less restrictive states, increasing stress on a shrinking labor pool, and

WHEREAS, according to the USDA, 98 % of New York farms are family owned, and

WHEREAS, Senator Jessica Ramos and Assemblywoman Catherine Nolan introduced S2837 and A2750 which would, among other things, provide collective bargaining rights of farm workers and require overtime pay and where, advocacy groups are asking for collective bargaining, not farmworkers, and

WHEREAS, farming is already a highly regulated industry in New York State, placing a further marketplace competitive disadvantage from surrounding states and Canada on growing food for New Yorkers, and

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WHEREAS, animal agriculture requires a workforce to care for animals 24- hours per day, 7 days per week, 365 days per year and crop, vegetable and fruit farming requires seasonal, climate sensitive and time sensitive planting and harvesting where the effects of a labor strike on a farm could destroy an entire year's worth of crops, render perishable food not edible and adversely affect the health and care of animals, and

WHEREAS, New York State minimum wage ranks among the top five in the country, minimum wage in upstate New York is currently \$3.85 higher than federal minimum wage and on average farm wages are well above minimum wage currently, and

WHEREAS, prices paid to farmers for milk and most crops produced in Orleans County are set by market conditions out of farmers' control so they have no way to recoup added costs of production by increasing the prices of their products and proposed overtime will likely result in fewer hours for workers rather than increased pay since current prices received for agricultural products at the farm level cannot justify overtime pay rates, and

WHEREAS, Orleans County farmers must compete in regional, national and global marketplaces and this legislation would place them at an even greater competitive disadvantage, according to an analysis by Farm Credit East, overtime combined with the rising minimum wage would raise labor costs on NY farms by nearly \$300 million and reduce net farm income 23.4% and

WHEREAS, family farming is already on the decline and the economic impact of these labor mandates will further reduce profitability and push further disincentive to continue family farming operations in New York State and the net effect of increasing agricultural cost solely on New York farms will simply be to drive farm families out of business or out of state, and

WHEREAS, agriculture provides and protects Orleans County's open spaces and beautiful landscapes, which are in jeopardy of falling to development and non-agriculture use if added costs force farms out of business and in that unique capacity, Orleans County's opposition to this legislation should be critically considered by State Legislators, and

WHEREAS, Governor Cuomo has invested millions in the infrastructure for dairy processing in New York State, supporting the growth and capacity of the entire dairy economy, which this proposed labor bill will directly decimate substantial economic development investment by New York State, now, therefore, be it

RESOLVED, that the Orleans County Legislature does pause in its deliberations to oppose S2837 / A2750 based on loss of market place, agribusiness economy loss on our farm communities and major loss of income and benefits of farm employees who will have to work a second job to make up the financial hardship, hereby requests that Orleans County's State Legislators advise us of their position and further take steps to defeat such legislation, and be it further

RESOLVED, that the Village Clerk-Treasurer shall forward a copy of this resolution to Governor Andrew Cuomo, Senator Robert Ort, Assemblyman Steve Hawley, Assemblyman Michal Norris, NYSAC and Inter County Association of Western New York; and all others deemed necessary and proper.

RESOLUTION NO 2019-72

SUPPORT ORLEANS COUNTY RESOLUTIONS 159-419 & 188-419

ON MOTION of Trustee Wilson, seconded by Trustee Woodward Jr., to support Orleans County's resolution 159-419 & 188-419.

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

Village Planning Board/Zoning Board:

- Nothing

ON MOTION of Trustee Cousins, seconded by Trustee Kenyon, to adjourn the meeting at 6:27PM.

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

Teri M. Woodworth

Clerk-Treasurer