

Regular meeting of the Trustees, Village of Lyndonville was held on Tuesday, November 12, 2013 at the Village Hall. Meeting opened at 6:59 p.m.

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| 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 | Douglas Rue |
| | Attorney | David Schubel - Excused |
| | Fire Chief | Jason Gerety |
| | Public: | Rob Woolley |

APPROVAL OF THE MINUTES

ON MOTION of Trustee Tuk, seconded by Trustee Tuohey, to accept the minutes of the October 4, 2013 Special meeting, the October 14, 2013 Regular meeting with the discussed typos and the November 1, 2013 Special meeting.

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

PRIVILEGE OF THE FLOOR:

- Nothing

USE OF FACILITIES

- Nothing

Report – Fire Chief Gerety

- Report - YTD calls – 187, MTD calls – 15 (7 – EMS in Town, 3 – EMS in Village, 1 - M/A FAST to Medina, 1 - M/A FAST to Albion, 2 - M/A Ridgeway and 1 - Smoke Investigation)
- Four members have been fitted for turnout gear. Chief Gerety is hoping the Lyndonville Area Foundation will pay for two additional sets of turnout gear.
- Locker in the Meeting room, the Fire Department would like to have it remodeled by the State program for prisoners.
- Lions Club Pumpkin Carving went well at the Fire Hall and they are all set to participate for the Christmas in Lyndonville.
- Keys for the Fire Hall - Lyndonville Auxiliary members are requesting keys for the building and the office. Superintendent Woodworth must be provided with an updated list of who has what keys before any additional keys will be issued per Mayor McAvoy. Auxiliary Woolley will obtain the Auxiliary's information and get it to Chief Gerety. Auxiliary Woolley stated that the Auxiliary President and Treasurer need keys to the office to secure their confidential information. Per Mayor McAvoy that is to be worked out within the Fire Department.
- Auxiliary Woolley requested the use of the PA system for the Turkey Raffle on November 16, 2013.

Report – Code Enforcement Rue

- Working on inspecting 4 churches
- Built vs Actually Built - Mayor McAvoy expressed some concern regarding some recent structures that appear to be bigger than what was requested on their building permits. The Board explained that if the Assessor goes by what's on the building permit and the structure is bigger than requested the property won't be properly assessed. This will have a direct impact on the Village Property Tax Roll. 201 Maple Avenue was brought to Code Enforcement Rue's attention regarding a second floor. Code Enforcement Rue stated that attic trusses were used and that the homeowner has stairs goes up there and only plywood laid down to be able to store things. The Board inquired if the square footage that was requested is actually what was built. Code Enforcement Rue advised he would have to look into it on Thursday as prior Code Enforcement Wolfe is the one who issued the building permit.

Report – Attorney Schubel

- Nothing - Excused

Report – Clerk-Treasurer Woodworth

- Certificate of Protest - Clerk-Treasurer Woodworth needs to be able to pay for Certificate of Protest when needed on any returned checks as it happens instead of waiting for the Boards approval as individuals only have ten days to rectify a returned check.

RESOLUTION NO 2013-93

CERTIFICATE OF PROTEST

ON MOTION of Trustee Tuohey, seconded by Trustee Covell, to approve Clerk-Treasurer Woodworth to obtain a Certificate of Protest and pay the appropriate fees when necessary for returned checks.

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

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- Statutory Disability - Is being cancelled effective January 1, 2014 as Zurich will no longer write Statutory Disability policies in New York State. Clerk-Treasurer Woodworth has a call in to the Tompkins Agency to see if they are able to assist in getting a new policy.
- Fixed Assets Audit - Industrial Appraisal will be starting the audit process on November 18, 2013.
- KVS - Fixed Assets platform, Clerk-Treasurer Woodworth obtained a quote from KVS to add the Fixed Assets platform to compare with Industrial Appraisals quote to update annually. KVS's annual fee is \$580.00 with a onetime setup fee of \$1,605.00.
- Village Website - Clerk-Treasurer Woodworth is scheduled to meet with IT Rep Bill Belson this week to get the Village website online.
- Property Taxes - 19 Residents are being returned to Orleans County for unpaid Property Taxes.
- Lake Avenue Ball Fields - Jonathan Cocca will be attending the December 4, 2013 workshop to present the Board with some options and thoughts of what could be possibly done with property.
- Vouchers – Abstract A6 #1064 - #1123 to be paid

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| General | \$ 60,197.98 |
| Water | \$ 18,903.44 |
| Sewer | \$ 17,279.94 |
| Grand Total | \$ 96,381.36 |

RESOLUTION NO 2013-94
VOUCHERS TO BE PAID

ON MOTION of Trustee Tuohey, seconded by Trustee Woodward Jr., to have Clerk-Treasurer Woodworth to pay Abstract A6 Vouchers #1064- #1123.

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

Report – Superintendent Woodworth

- Superintendent Woodworth would like permission to sell the old cube van as sealed bid with the Village having the right to refuse any and all bids.

RESOLUTION NO 2013-95
SALE OF OLD CUBE VAN

ON MOTION of Trustee Tuk, seconded by Trustee Woodward Jr., to sell the old cube van by sealed bid with the Village having the right to refuse any and all bids.

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

- Complaint - Tree at 22 West Avenue - Superintendent Woodworth has spoken with Roger Feitshans regarding the tree. Mr. Feitshans understands Superintendent Woodworth cannot declare the tree a hazard and order it to be taken down without having a tree specialist take a look at it.
- Slow Sand Filters at the Water Treatment Plant - Superintendent Woodworth would like to start the process of removing the Slow Sand Filters at the Water Treatment Plant. He would like to get a request into Orleans County to assist with the demolition.

RESOLUTION NO 2013-96
DEMOLITION OF THE SLOW SAND FILTERS AT THE WATER TREATMENT PLANT

ON MOTION of Trustee Woodward Jr., seconded by Trustee Tuohey, to approve Superintendent Woodworth to start the process of the removal of the Slow Sand Filter's at the Water Treatment Plant.

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

- Sidewalk project - Superintendent Woodworth will see if Pro Construction will hold their pricing until next year.
- Tree trimming work still isn't done, Superintendent Woodworth feels we may need to get someone else to do the work.
- FEMA meeting - Superintendent Woodworth will be attending the meeting regarding flooding.
- Lyndonville Fire Department Sign - The new sign has been ordered, the Village will be getting an check from our insurance company as well as refund check from the Watchfire once the new sign is installed and functioning.
- E-Waste Shed - Superintendent Woodworth noticed TV's are being taken out and striped and then returned. IT Rep Bill Belson has installed a surveillance camera that is monitored in Superintendent Woodworth's office.
- Housel Avenue Intersection - Superintendent Woodworth received a complaint from the school regarding how dark the intersection is. The State DOT is going to look into the intersection and may determine that a need for a crossing guard is necessary. Superintendent Woodworth has contacted National Grid regarding the lighting and they can change the street light to a100 whps with the Boards approval.

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RESOLUTION NO 2013-97

INTERSECTION OF HOUSEL AVENUE AND NORTH MAIN STREET, STREET LIGHT

ON MOTION of Trustee Tuk, seconded by Trustee Covell, Resolved: National Grid is hereby authorized and directed to do the following work in the Village of Lyndonville, CSS Reference No. 72338-81105

Convert: One-100 whps on pole 5 at the intersection of Housel Avenue and North Main Street

Estimated Additional Annual Cost: \$120.00 includes energy

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

Report – Trustee Tuohey

- Nothing

Report – Trustee Tuk

- Municipal Solutions - Jeff Smith - Sent out new rates for the joint projects with the Village and the Town of Yates, the new rates will start effective January 1, 2014. Mr. Smith also mentioned that the Village and Town's IMA should be updated.
- TVGA - Funds are available for water projects and Fire Departments. There may be a percent that needs to be matched. The Fire Department may want go this route if the need is there for a new fire truck.

Report – Trustee Woodward Jr.

- Nothing

Report – Trustee Covell

- Nothing

Report – Mayor McAvoy

- Webinar - December 4, 2013 10:00AM - 12:00PM - Fiscal Stress, Mayor McAvoy will be attending if anyone else is interested.

OLD BUSINESS:

- Overpayment of Prior Clerk-Treasurer - Mayor McAvoy will advise Attorney Schubel to move forward in putting a lien against Prior Clerk-Treasurer Ames.
- Capitalization Policy - Nothing

NEW BUSINESS:

- SBA Agreement - Mayor McAvoy will contact Rick from SBA to see if the yearly payments can be increased.
- Vest for Officer Riemer - Mayor McAvoy is going to look into regarding grants for the vest.
- County Planning Board - No one to fill the position at this time.
- Communications Technology Policy - All Village employee's will be required to sign the policy annually.
- Communications Technology Coordinator - Mayor McAvoy appointed Trustee Tuk as the Village's Communication Technology Coordinator.
- Deputy Registrar - Mayor McAvoy appointed Trustee Tuohey as the Village's Deputy Registrar

RESOLUTION NO 2013-98

DEPUTY REGISTRAR

ON MOTION of Trustee Woodward Jr., seconded by Trustee Tuk, to accept Trustee Tuohey as the Village's Deputy Registrar.

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

- Special Election in March of 2014

RESOLUTION NO 2013-99

DESIGNATION OF OFFICES TO BE FILLED IN THE NEXT GENERAL ELECTION

WHEREAS, the next special Village election will be held on March 18, 2014 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 August 7, 2013, to be filled at the Village election to be held March 18, 2014 for the following terms:

Trustee – One year term

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Section 2: The Village is hereby directed to publish this resolution in the Journal Register.

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

- Christmas in Lyndonville - The Village would like an agreement stating the Christmas decorations are owned by the Lyndonville Lions Club and that the Village of Lyndonville Department of Public Works will be responsible for putting up and taking down the decorations. The decorations may need to be stored at the Village DPW garage.
- Superintendent Woodworth inquire if there has been any complaints about the shooting in the Village on Sunday mornings? No one has heard anything. Superintendent Woodworth stated the individuals are on either Sarah Brinsmaid's property or in Patterson Park.

ON MOTION of Trustee Woodward Jr, seconded by Trustee Tuohey, to adjourn the meeting at 8:38 p.m.

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

Teri Woodworth
Clerk-Treasurer