

Regular meeting of the Trustees, Village of Lyndonville was held on Monday, June 3, 2024 at the Village Hall. The meeting opened at 6:00 PM

PRESENT: Mayor: John Belson
Deputy Mayor: Danny Woodward Jr. - Absent
Trustees: Anne Marie Holland
Kimberly Kenyon
Terry Stinson

Clerk-Treasurer Teri Woodworth
Supt. of Public Works Devan Freeman
Code Enforcement Officer David Reese - Absent
Attorney Katherine Bogan

Public – Present: Carla Woodworth, Katherine Hardner

APPROVAL OF THE MINUTES

ON MOTION of Trustee Holland seconded by Trustee Stinson, to accept the minutes of the May 6, 2024 regular meeting and the May 28, 2024 year-end meeting.

Vote: 4 Ayes (Belson, Holland, Kenyon, Stinson); 0 Nays; 0 Abstain

PRIVILEGE OF THE FLOOR

- Village Resident Kate Hardner addressed the Board with regards to the Village’s current chicken ordinance:

6/3/24

To the Lyndonville Village Board:

My name is Kate Hardner. I have lived on Garland Street for over 20 years. I respectfully request an amendment to Article VI the Regulations Applicable to All Zoning Districts, Section 618 Harboring of Animals. The intent of the current law is to restrict livestock farming or animals reared for slaughter within the village limits, other than in the Agricultural - Residential District. The law as written refers to poultry, rabbits and other animals on the hoof, both fleece and fur bearing. The law is vague, which leads to misinterpretation and is being arbitrarily enforced.

Using the word “hog” and including rabbits in the statute clearly indicates the law applies to animals farmed for meat production. The intent was not to restrict kids from having a pet rabbit which is what happened on my street. Furthermore, a flock of backyard chickens is for personal use, not production, and does not come close to meeting the legal definition of a livestock farm. Maybe you haven’t noticed but the high school has a giant chicken run currently rearing pheasants. I think it’s a fantastic conservation project but pheasants are poultry, and the swans are technically poultry as well.

12 million people in the United States own backyard or household chickens. In the US there are an estimated 85 million backyard chickens making them the third most common pet in the country. The benefits are many including the control of ticks, mosquitos and other bugs; consumers of leftover food scraps and yard waste reducing landfill mass and costs; mental health and nutritional benefits and instilling an appreciation for nature and where our food comes from. All of the school districts in Orleans County have some kind of agricultural curriculum, FFA program or after school 4-H club. My first exposure to chickens was hatching chicks in 1st grade at Lyndonville Central School. That was 45 years ago and the tradition continues at LCS today. Back when I was a kid this was a special rural school project that city schools didn’t do. Chickens are now permitted in 93% of major metropolitan cities, in the suburbs and small towns like ours all over NYS. My online petition has 163 signatures and over 1700 views. I have demonstrated for 7 years that it is possible to raise a small flock of backyard chickens responsibly without neighbor complaint.

I am seeking an amendment to Section 618 to permit village residents, in single-family households, to own up to 6 hens, no roosters, confined to an enclosed chicken run, the equivalent of a standard dog kennel, and a coop no larger than 10’ x 12’ with no permit required.

I know what I am proposing is different than what we have been doing. I know that Lyndonville is not typically in the position to set a precedent. I am asking you to be leaders among the villages in Orleans County, to be open minded, to set an example for other communities to lead a more sustainable lifestyle and to shorten your food chain from backyard to table. Thank you for your consideration.

Respectfully submitted by,



Kate Hardner

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USE OF FACILITIES

- Nothing

Report – Code Enforcement Reese - Absent

- Report – Given by Clerk-Treasurer Woodworth – 4 Building permits issued, 1 – Building permit closed out, 1 – Scheduled inspection, 6 – Open 1203 inspections, 1 – Closed 1203 inspection, 4 – Complaints received (1 open is chicken complaint), 3 – Complaints closed, 2 – Meetings attended and will be returning to court this month for 43 Garland.

Report – Police Department

- Nothing at this time.

Report – Attorney Bogan

- Attorney Bogan noted usually when requests are made to amend a local law, they are sent to the Village Planning Board to do a study and give a recommendation back to the Village Board.

RESOLUTION NO 2024-37

REFER TO THE VILLAGE PLANNING BOARD – LOCAL LAW 1 OF THE YEAR 2003 – ARTICLE VI REGULATIONS APPLICABLE TO ALL DISTRICTS – SECTION 618 HARBORING ANIMALS

ON MOTION of Trustee Holland, seconded by Trustee Stinson, to send Local Law 1 of the Year 2003 with regards to harboring of animals specifically chickens to the Village Planning Board for review, a study to be done and recommendation back to the Village Board.

Vote: 4 Ayes (Belson, Holland, Kenyon, Stinson); 0 Nays; 0 Abstain

Report – Clerk-Treasurer Woodworth

- Clerk-Treasurer Woodworth presented the Board the budget to actual report for May 2024.
- Clerk-Treasurer Woodworth noted she’s working on obtaining water meter owner/maintenance agreements from Albion and Medina currently.
- Clerk-Treasurer Woodworth noted email has been sent to the Town of Yates Board, copying the Village Board, Superintendent and Assistant Superintendent of Public Works and Village Attorney with regards to the Village and Town water rate agreement and proposed rate increase.
- Clerk-Treasurer Woodworth noted the DCJS Use of Force report has been filed.
- Clerk-Treasurer Woodworth presented the Board with the following budget transfers:

General Fund			
Account Number	Account Description	Increase	Decrease
A0-1420-004	Attorney.Contractual	\$3,000.00	
A0-1990-004	Contingent Fund		\$3,000.00
A0-1640-492	Central Garage.Fuel	\$2,033.97	
A0-8560-004	Shade Trees.Contractual		\$2,033.97
A0-5110-004	Maintenance of Roads.Contractual	\$1,989.30	
A0-5182-004	Street Lighting.Contractual		\$1,989.30
Water Fund			
Account Number	Account Description	Increase	Decrease
F0-8320-001	Water Source of Supply, Power & Pump.Personal Serv	\$1,158.36	
F0-8320-004	Water Source of Supply.Contractual		\$1,158.36
F0-8330-001	Water Purification.Personal Service	\$1,663.15	
F0-8320-004	Water Source of Supply.Contractual		\$1,663.15
F0-8340-001	Water Transm & Distrib.Personal Service - VOL	\$1,241.08	
F0-8320-004	Water Source of Supply.Contractual		\$1,241.08
F0-8340-011	Water Transm & Distrib.Personal Services - TOY	\$1,403.65	
F0-8340-004	Water Transm & Distrib.Contractual - TOY		\$1,403.65
Sewer Fund			
Account Number	Account Description	Increase	Decrease
G0-8130-004	Sewage Treatment & Disposal.Contractual	\$1,039.38	
G0-1910-004	Unallocated Insurance		\$1,039.38

RESOLUTION NO 2024-38

BUDGET TRANSFERS

ON MOTION of Trustee Kenyon, seconded by Trustee Wilson, to approved Clerk-Treasurer Woodworth to the budget transfers as presented.

Vote: 4 Ayes (Belson, Holland, Kenyon, Stinson); 0 Nays; 0 Abstain

Regular meeting of the Trustees, Village of Lyndonville was held on Monday, June 3, 2024 at the Village Hall. The meeting opened at 6:00 PM

- Vouchers – Abstract A12-1 – A12-2 #18015 & #18034 to be paid for 2023-2024

General	\$ 1,719.46
Water	\$ 14,318.98
Sewer	\$ 531.20
<u>Capital</u>	<u>\$ 11,416.97</u>
Grand Total	\$ 27,693.73

- Vouchers – Abstract A1 #18021 & #18033 to be paid for 2024-2025

General	\$ 10,029.45
Water	\$ 3,428.74
<u>Sewer</u>	<u>\$ 1,948.78</u>
Grand Total	\$ 15,406.97

RESOLUTION NO 2024-39

VOUCHERS TO BE PAID FOR ABSTRACTS A12-1 – A12-2 AND A1

ON MOTION of Trustee Stinson, seconded by Trustee Holland, to have Clerk-Treasurer Woodworth pay Abstract A12-1-A12-2 #18015 – #18034 and Abstract A1 # 18021- #18033.

Vote: 4 Ayes (Belson, Holland, Kenyon, Stinson); 0 Nays; 0 Abstain

Report – Superintendent Freeman

- Superintendent Freeman noted we've had several water main breaks, 1 on May 17th, 2 on May 31st and one today. Trustee Stinson inquired if there's one thing causing all the breaks. Superintendent Freeman noted they are all on the main transmission line. Superintendent Freeman is working New York Rural Water to help with leak detection. Superintendent Freeman noted we're losing about 700 gallons per minute per water main break and the repair clamps cost approximately \$1,000.00 each.
- Superintendent Freeman noted MotionAi has tried to fix WWTP and made it worse, there is no communication at this point. Trustee Stinson inquired why and what's being done to fix it. Superintendent Freeman noted they lost all communication from lift stations and sewer plant. Superintendent Freeman noted they are having a meeting tomorrow with MRB Group, MotionAi and DPW. Trustee Stinson inquired if anything legally can be done to push to get this fixed.

Report – Trustee Kenyon

- Nothing

Report – Trustee Woodward Jr.

- Nothing - Absent

Report – Trustee Stinson

- Nothing

Report – Trustee Holland

- Trustee Holland inquired if any feedback has been received with regards to grants. Clerk-Treasurer Woodworth noted no response from Municipal Solutions.

Report – Mayor Belson

- Nothing

OLD BUSINESS:

- Nothing

NEW BUSINESS:

- Clerk-Treasurer Woodworth presented Local Law No. 2 of the year 2013 – Brush, Grass and Weeds Removal, specifically the noted fee schedule to be set by the Village Board, requesting an update fee schedule be set. Clerk-Treasurer Woodworth noted the current charges are figured on the employee's rate of pay times however long it takes to mow and clean up plus the NYS rate for the equipment and any damages incurred. The Board discussed the current charges. Trustee Holland inquired if there is any zoning or code regulating trash cans at the curb.

RESOLUTION NO 2024-40

REFER TO THE VILLAGE PLANNING BOARD – LOCAL LAW 1 OF THE YEAR 2002 – PROPERTY MAINTENANCE LAW OF THE VILLAGE OF LYNDONVILLE AND LOCAL LAW 2 OF THE YEAR 2013 – THE BRUSH, GRASS AND WEEDS REMOVAL LOCAL LAW OF THE VILLAGE OF LYNDONVILLE, NEW YORK

ON MOTION of Trustee Stinson, seconded by Trustee Kenyon, to send Local Law 1 of the Year 2002 with regards to trash cans and Local Law 2 of 2013 with regards to a fee schedule to the Village Planning Board for review, a study to be done and recommendation back to the Village Board.

Vote: 4 Ayes (Belson, Holland, Kenyon, Stinson); 0 Nays; 0 Abstain

- WWTP Disinfection Project – Pay Requisition – Application #9 – STC Construction – Contract 1 – Mayor Belson presented the Board with the recommended pay request as advised from MRB Group.

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RESOLUTION NO 2024-41

WWTP DISINFECTION PROJECT – PAY REQUISTION – APPLICATION #9

ON MOTION of Trustee Stinson, seconded by Trustee Holland, to approve paying application # 9.

Vote: 4 Ayes (Belson, Holland, Kenyon, Stinson); 0 Nays; 0 Abstain

- Attorney Bogan noted some changes need to be made in the current water rate agreement with the Town of Yates, updating the percentage amounts. Superintendent Freeman is working the Town on getting the five master meters replaced as soon as possible.

ON MOTION of Trustee Stinson, seconded by Trustee Kenyon, to adjourn the meeting at 6:32PM.

Vote: 4 Ayes (Belson, Holland, Kenyon, Stinson); 0 Nays; 0 Abstain

Teri M. Woodworth
Clerk-Treasurer