

Regular meeting of the Trustees, Village of Lyndonville was held on Monday, August 5, 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, Kate Hardner, John Paul Schepp

- Attorney Bogan requested that Board enter into executive session regarding a possible litigation matter.

ON MOTION of Trustee Kenyon, seconded by Trustee Holland, to enter into executive session regarding a possible litigation matter.

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

ON MOTION of Trustee Holland, seconded by Trustee Kenyon, to close the executive session at 6:17pm with no action taken.

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

APPROVAL OF THE MINUTES

ON MOTION of Trustee Holland seconded by Trustee Kenyon, to accept the minutes of the July 1, 2024 regular meeting.

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

PRIVILEGE OF THE FLOOR

- Nothing

USE OF FACILITIES

- Assemblyman Steve Hawley has requested use of the Village Hall on August 3, 2024 for a town hall meeting.
- Town of Yates is requesting use of Main Street from Eagle Street to Maple Avenue for a street dance on August 23, 2024.

RESOLUTION NO 2024-

USE OF FACILITIES – ASSEMBLYMAN STEVE HAWLEY & TOWN OF YATES

ON MOTION of Trustee Stinson, seconded by Trustee Holland, to approve the use of the Village Hall on August 3, 2024 for Assemblyman Steve Hawley and use of Main Street from Eagle Street to Maple Avenue for a street dance on August 23, 2024 as requested.

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

Report – Code Enforcement Reese

- Report – No report given at this time.

Report – Police Department

- Nothing at this time.

Report – Attorney Bogan

- Nothing at this time.

Report – Clerk-Treasurer Woodworth

- Clerk-Treasurer Woodworth noted the auditor from the Bonadio Group will be here the rest of the week starting tomorrow.
- Clerk-Treasurer Woodworth presented the Board the budget to actual report for July 2024.
- Clerk-Treasurer Woodworth noted the DCJS Use of Force reports have been filed.
- Clerk-Treasurer Woodworth noted she’s renewed her DCJS security certification.
- Vouchers – Abstract A2-1 – A3 #18099 - #18172 to be paid for 2024-2025

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|--------------------|----------------------|
| General | \$ 39,255.40 |
| Water | \$ 20,698.39 |
| Sewer | \$ 56,941.66 |
| Grand Total | \$ 116,895.45 |

RESOLUTION NO 2024-46

VOUCHERS TO BE PAID FOR ABSTRACTS A2-1 - A3

ON MOTION of Trustee Stinson, seconded by Trustee Kenyon, to have Clerk-Treasurer Woodworth pay Abstract A2-1 – A3 #18099 - #18172.

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

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Report – Superintendent Freeman

- Superintendent Freeman noted the new high lift pump was received and should be installed tomorrow.
- Superintendent Freeman noted he ordered new flow meter with the estimated cost of \$6,549.00.

RESOLUTION NO 2024-47

PURCHASE OF A NEW FLOW METER

ON MOTION of Trustee Holland, seconded by Trustee Stinson, to authorize Superintendent Freeman to purchase a new flow meter not to exceed \$6,700.00.

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

Report – Trustee Kenyon

- Nothing

Report – Trustee Woodward Jr.

- Nothing - Absent

Report – Trustee Stinson

- Nothing

Report – Trustee Holland

- Nothing

Report – Mayor Belson

- Thanked Superintendent Freeman and everyone for everything they are doing until we get things fixed.

OLD BUSINESS:

- Water Rate Agreement – Town of Yates – Clerk-Treasurer Woodworth sent an updated spreadsheet and the amount in the water reserve account to the Town of Yates for it to be review at their workshop this evening.
- Local Law No. 1 of the year 2003 – Article VI Regulations Applicable to All Districts – Section 618 Harboring Animals – Clerk-Treasurer Woodworth noted the Planning Board is working on composing a draft for the next meeting August 19, 2024.
- Local Law No. 2 of the year 2013 – The Brush, Grass and Weeds Removal Local Law of the Village of Lyndonville, New York - § 113-5. Collection of costs; fees. – B – The Board discussed fees.

RESOLUTION NO 2024-48

THE BRUSH, GRASS AND WEEDS REMOVAL FEE

ON MOTION of Trustee Stinson, seconded by Trustee Kenyon, to set the fee at \$300.00 for each time the Department of Public Works is ordered to mow a parcel in the Village of Lyndonville.

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

- Parcel 25.17-1.65 – Catholic Church parking lot – Attorney Bogan noted a letter has been sent notifying of the Village’s interest in the Catholic Church parking lot. The response is that nothing is for sale at this time to check back a at later date.
- Savvy Citizen – Clerk-Treasurer Woodworth presented the Board with Savvy Citizen an app that will allow the Village to send out communication to its residents. The Board discussed its capabilities and would like to try it for a year and then reassess.

RESOLUTION NO 2024-49

SAVVY CITIZEN

ON MOTION of Trustee Kenyon, seconded by Trustee Stinson, to authorize Clerk-Treasurer Woodworth to purchase Savvy Citizen.

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

NEW BUSINESS:

- Hudson Russ – Mayor Belson asked the Board for approval to obtain Hudson Russ for a possible litigation effective July 15,2024.

RESOLUTION NO 2024-50

POSSIBLE LITIGATION – HUDSON RUSS

ON MOTION of Trustee Holland, seconded by Trustee Stinson, to obtain Hudson Russ for a possible litigation effective July 15, 2024.

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

Regular meeting of the Trustees, Village of Lyndonville was held on Monday, August 5, 2024 at the Village Hall. The meeting opened at 6:00 PM

- Sidewalk compliant letter – The Board received the following letter regarding the sidewalks at 106 S Main Street:

July 7, 2024

To the Town of Lyndonville, NY or to Whom This May Concern,

I am writing to convey our recent experience at this year's 4th of July parade.

As my wife and I were walking (North) to the parade viewing areas, with the crowd, my wife caught a step in the sidewalk, tripped, fell and injured herself.

She experienced facial and shoulder abrasions, bruising to the knee and wrists, a cut lip and possibly loosening a tooth (too soon to tell with all the swelling). Fortunately, she did not break anything. Not life-threatening injuries but injuries still.

Assistance was offered by a few people as we got her back up on her feet which was greatly appreciated. As she was bleeding from the mouth, we retreated for medical attention.

The sidewalk section that I bring to your attention is on the West side of South Main Street, in front of a blue house (106 South Main Street).

It's understood that sidewalks typically have irregular joints however, this section of sidewalk has existing ledges that are heaved or settled several inches. They pose a challenge to everyday walking, not to mention wheelchairs, those with walkers or the visually impaired.

The following is information taken from the U.S. Department of Transportation Federal Highway Administration publication.

A Guide for Maintaining Pedestrian Facilities for Enhanced Safety

Link to the entire document here - <https://highways.dot.gov/safety/pedestrian-bicyclist/guide-maintaining-pedestrian-facilities-enhanced-safety>

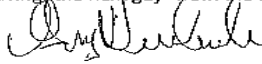
- **Section 4 - Inspection, Accessibility, Compliance, Plans and Policies**
 - **4.1.3 Inspection and Accessibility**
 - **Accessibility Criteria**

Displacement/Changes in Level (includes faults and heaves): Surface discontinuities shall not exceed a half inch (13 millimeters). Vertical discontinuities between a quarter inch (6.4 millimeters) and half inch (13 millimeters) shall be beveled at 1:2 minimum. The bevel shall be applied across the entire level change.

Walking back later in the day, after the parade, alone and with a clear view of the sidewalk at this location, these "ledges" can be seen and negotiated, however with several hundred people crowding the sidewalk enroute to the parade, the ledges are unseen and pose an obvious hazard and with no warning, you're tripped up and on your face.

The intent of this letter is to bring this condition of the sidewalk to the town's attention for the purpose and hope of saving "the next guy" from the same fate as that of my wife.

Greg Dembowski
11019 Mill Rd.
East Bethany, NY 14054



Received

||| 1 0 2024

Superintendent Freeman noted he's measured the area that needs to be replaced at 106 S Main St and it's 40 feet by 5 feet that would need to be replaced. Superintendent Freeman noted the homeowner is looking to replace the sidewalks and recommended reimbursing them for the area the Village would have done, totally \$2,800.00 (40'x5'=200' x \$14.00 (price from the 2023 sidewalk bid from Pro Construction)). Superintendent Freeman noted the sidewalks would be replaced this week.

RESOLUTION NO 2024-51
SIDWALKS AT 106 SOUTH MAIN STREET

ON MOTION of Trustee Holland, seconded by Trustee Stinson, to authorize the reimbursement of \$2,800.00 to the property owner of 106 South Main Street for the sidewalks that need to be replaced after the work is done.

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

- Municipal Solutions – Funding preliminary contract – Mayor Belson presented the Board with the contract for preliminary funding.

RESOLUTION NO 2024-52
MUNICIPAL SOLUTIONS – FUNDING PRELIMINARY CONTRACT

ON MOTION of Trustee Stinson, seconded by Trustee Holland, to authorize Mayor Belson to sign the funding preliminary contract with Municipal Solutions.

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

- Public Works Maintenance Worker – Superintendent Freeman noted he's received a letter of resignation from Noah Poler effective August 8, 2024.

RESOLUTION NO 2024-53
PUBLIC WORKS MAINTENANCE WORKER – NOAH POLER – RESIGNATION – AUGUST 8, 2024

ON MOTION of Trustee Stinson, seconded by Trustee Kenyon, to accept the letter of resignation of Noah Poler for the position of Public Works Maintenance Worker effective August 8, 2024.

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

- Village Trustee – Mayor Belson presented the Board with the letter of resignation from Terry Stinson as Village Trustee effective August 31, 2024.

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RESOLUTION NO 2024-53

VILLAGE TRUSTEE – TERRY STINSON – RESIGNATION – AUGUST 31, 2024

ON MOTION of Trustee Kenyon, seconded by Trustee Holland, to accept the letter of resignation of Terry Stinson for the position of Village Trustee effective August 31, 2024.

Vote: 3 Ayes (Belson, Holland, Kenyon); 0 Nays; 1 Abstain (Stinson)

ON MOTION of Trustee Holland, 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