

REGULAR MEETING
September 9, 2014

A Regular Meeting of the Town Board of the Town of Lyndon, County of Cattaraugus and the State of New York was held at the Town Hall, 852 Lyndon Center Road, Cuba, New York on the 9th day of September 2014.

Present: Leonard Kaluzny ----- Supervisor
Sidney Emmons ----- Councilman
Clifford Evans ----- Councilman
Don Gietl-----Councilman
Frank Puglisi ----- Clerk
George Schneider ----- Supt. Of Highways

Absent: Scott Hillman ----- Councilman

Attended by: Numerous Residents, and 1 Lyndon Constable.

Supervisor Kaluzny called the meeting to order with the Pledge to the Flag at 7:00pm.

Clerk Puglisi took the role. Councilman Emmons made a motion to accept the August Regular Meeting Minutes and 2 August Special Meeting Minutes. Councilman Evans seconded the motion. The following was

ADAOPTE: 4 Ayes (Kaluzny, Emmons, Evans, Gietl)
0 Nays

Correspondence-

Cattaraugus County Department of Human Resources- Lyndon had \$1052.00 in workman compensation claims and the premium will not change from last year.

Cattaraugus County Treasurer- Sent a projection of the Towns share of sales tax for next year to help with the Towns budget.

New York State Comptroller- Sent an email stating the pension controbution rates will decline for the year 2015 and 2016 by 9% from 20.1% to 18.2% of payroll.

DTF Security- Sent a letter regarding security and the JCAP Grant. A meeting is scheduled for Wednesday September 10, 2014 at 11:30am.

Public Comments-

A Resident- Stated she was very concerned about a property in Lyndon that she lives next to and it has become uncomfortable to even come out to their property. The Sheriff and the Health Department were called but nothing has been done. Councilman Emmons stated the Health Department would be the best thing to send there. Councilman Gietl stated a letter from the Town Board to the Health Department would be better. Supervisor Kaluzny asked if they called the SPCA regarding the animals. The Resident stated no. Councilman Evans stated the Board will look into this and try and do something. The Board will send the Code Enforcement Officer and send a letter to the Health Department.

Leonard Kaluzny- Stated he would like to step away from being Town Supervisor for a minute since I am a taxpayer. He stated he received a letter, which stated very little of importance is getting accomplished and spent taxpayer money on personal benefits without Board knowledge or permission. He asked the Board are we lacking anything. Councilman Emmons stated we are not going behind for starters and I think together the Board has progressed how much can always be argued regardless of who is in charge. A lot of credit goes to Clerk Puglisi for coming up with these things and the Board has acted on them and I think we are making progress. Could we do more yes, but we are not going behind by any means. Resident Kaluzny asked about spending taxpayer money on personal benefits without the Boards knowledge or permission are there any comments from the Board. Councilman Emmons stated not recently but before yes and he felt this was political and did not feel this was the place to talk about it. Supervisor Kaluzny stated he wanted to make sure that he was not missing something along the way and see if the Board was unhappy and think we need to do more. Councilman Emmons stated not particularly, no. Supervisor Kaluzny stated ok I thought I missed something. Councilman Emmons stated I don't have any ideas in my head that we should or could do more.

Old Business-

Low Use Road Law- Councilman Emmons asked what is the advantage of having this law. Superintendent Schneider stated that it takes the legality from the Town because the Town roads will never be able to maintain like the State roads. The Board and Superintendent Schneider would like to get more information and will talk to the man doing the signs for the Town for more information.

Councilman Emmons made a motion to table the law until further information can be received. Councilman Evans seconded the motion. The following was

ADOPTED 4 Ayes (Kaluzny, Emmons, Evans, Gietl)
0 Nays

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Solid Waste Law- Supervisor Kaluzny stated we have three of them on the books right now. Councilman Emmons asked if we should consolidate them into one. Supervisor Kaluzny stated it would be better to keep them separate and just enforce the three laws. Constable Kim stated that all three laws are able to be enforced and they are very specific and written well. Constable Kim will send a warning to people that the Town has received complaints about. The Board felt the three laws were sufficient and do not need to write a new one.

Solar Panel Report- Clerk Puglisi stated the Town used zero electric this month and the Town is now storing energy. The bill was \$42.37 but that was for two months for line service.

JCAP Grant-

Supervisor Kaluzny made a motion to pass Resolution 12-2014. Councilman Emmons seconded the motion. The following was

ADOPTED	Supervisor Kaluzny	Ayes
	Councilman Emmons	Ayes
	Councilman Evans	Ayes
	Councilman Gietl	Ayes

Resolution 12-2014

Authorizing the Justice Court to apply for a 2014 Justice Court Assistance Program Grant.

WHEREAS, it is necessary to make an application to the Justice Court Assistance Program for grant money, now therefore be it

RESOLVED, that the Lyndon Town Board does hereby authorize the Lyndon Justice Court to file an application for funds from the New York State Unified Justice Court, in accordance with the provisions of the Justice Court Assistance Program in an amount not to exceed \$30,000.00 for a court construction project and security needs, and upon arrival of said request to enter into and execute a project agreement with the State for such financial assistance to the Town of Lyndon.

Generator for Town Hall- Supervisor Kaluzny asked Councilman Emmons if he had talked to the Fire Department about connecting to the Fire Hall generator. Councilman Emmons stated no because he was away for their meeting. Councilman Emmons asked what are the main issues when the power is out. Superintendent Schneider stated the furnace for heat and some lights and the garage doors. Councilman Emmons will talk with the Fire Department to see if the Town can connect to their generator.

Mold in Records Vault- Supervisor Kaluzny asked Councilman Emmons if he had done anything with the mold in the records vault. Councilman Emmons stated he still has to do this and will come in when the Clerk Puglisi has office hours.

New Business-

Transfer of Funds- Councilman Emmons Made a motion to transfer \$400.00 from A1990.4 Contingent to A1220.4 Supervisor Contractual, \$200.00 from A1990.4 Contingent to A1410.4 Clerk Contractual and \$7.50 from A1990.4 to DA5140.1 Brush/Weeds Per Service. Councilman Gietl seconded the motion the following was ADOPTED Ayes 4 (Kaluzny, Emmons, Gietl, Evans)

Nays 0

Supervisor Kaluzny stated with these transfers it leaves \$10677.50 in the Contingent fund.

Clerk Becoming Notary-

Clerk Puglisi asked if the Town would pay for the fee of \$60.00 for the test to become a notary.

Councilman Emmons made a motion to approve the necessary expenses for the Clerk to become a Notary. Councilman Evans seconded the motion. The following was

ADOPTED Ayes 4 (Kaluzny, Emmons, Evans, Gietl)

Nays 0

Supervisor Report-

A detailed Report was given to the Town Board. Supervisor Kaluzny stated the Town has \$243,408.47 in the General and Highway Funds and \$23,022.93 in the Tax Stabilization Fund. The approved transfers from the August meeting were not reflected in the report because the bookkeeper was unable to make them before the meeting.

Councilman Emmons made a motion to accept the Supervisor Report. Councilman Evans seconded the motion. The following was

ADOPTED Ayes 4 (Kaluzny, Emmons, Evans, Gietl)

Nays 0

Supervisor Kaluzny asked if the Board would like to meet with the insurance lady and have the Highway Workers at the meeting or just have here meet with the Highway Workers. Councilman Emmons felt at least one Board member or more should be there to meet with the insurance lady. Councilman Gietl stated the whole Board should be there to meet with the insurance lady. Councilman Gietl stated the whole Board should be there and have all of the workers too. A meeting will be setup and the paper will be notified when the meeting will be held.

Clerks Report-

A detailed Report was given to the Town Board. Clerk Puglisi stated he took in \$2,344.20 and paid out \$2,344.20. \$1,210.61 to the Supervisor, \$899.59 to the DEC, \$141.00 to the County for DPW Dump Tickets, \$33.00 to AG and Markets for dog licenses.

Councilman Emmons asked if the Town keeps all of the money from the building permits. Clerk Puglisi stated yes.

Justice Report-

A detailed report was given to the Town Board. The Justice took in \$125.00 for the month of August.

CEO Report-

A detailed report was given to the Town Board. 15 building permits were issued in the Town.

Highway Report-

Superintendent Schneider gave a detailed report to the Board. He stated that Don Cooper from the Franklinville Bus Department stopped and warned him that there were two close incidents on North Center road and they would like the Town to put up two School bus stop ahead signs. He contacted the County and they have the signs in stock and he will be picking them up tomorrow. The new loader was ordered but a firm delivery date has not been set. He stated salt prices will be approximately \$10 per ton higher than last year, which is a 27% increase. There were two traffic counters one on Slab City Road had 40 per day and Ewing Road had 23. He stated the culvert pipe on McAfee Road was replaced and the old culvert a local farmer would like to purchase. It would cost the Town to dispose of them because they are plastic. He told the Farmer \$250.00 for both of the pipes. Councilman Emmons stated it sounds like a winner. All major roadwork is done they still have some patching and ditching to do. The Highway Workers still have about 100 hours each of comp time. He will also look into the price of the bracket to put the street signs back on the local roads that meet the County roads when he picks up the School Bus signs.

Councilman Emmons made a motion to pay Abstract 9 of the General Fund, Claims 140 thru 148 for \$590.51 and Abstract 9 of the Highway Fund, Claims 82 thru 97 for \$17,667.23. Councilman Gietl seconded the motion. The following was

ADOPTED Ayes 4 (Kaluzny, Emmons, Gietl, Evans)

Nays 0

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Being no further business or concerns
Councilman Gietl made a motion to adjourn the meeting. Councilman Evans
seconded the motion. All Ayes the meeting was adjourned at 8:15 pm.

Respectfully Submitted,

Frank Puglisi
Lyndon Town Clerk