

REGULAR MEETING
April 14, 2015

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 14th day of April 2015.

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

Attended by: Numerous Residents and Ken Tronetti from Regional International Inc.

Supervisor Kaluzny called the meeting to order with the Pledge to the Flag at 7:05pm.

Councilman Emmons made a motion to approve the March 10, 2015 minutes as written. Councilman Evans seconded the motion. The following motion was
ADOPTED Ayes 5 (Kaluzny, Emmons, Evans, Gietl, Hillman)
 Nays 0

Truck Bids-

Supervisor Kaluzny stated the Town received two sealed truck bids and two sealed plow box sander bids. Supervisor Kaluzny publicly opened the bids and announced the following:

Truck bids-

Fleet Maintenance Inc. from West Seneca, New York- Make: Western Star, Model: 4700. Total Price: \$113,984.00.

Regional International Inc. from Henrietta, New York- Make: International. Total Price: \$111,556.72.

Plow Box Sander bids-

Viking Cives- Getzville, New York- Plow Box Sander Total Price: \$85,141.00.

Valley Fab- Boston, New York- Plow Box Sander Everest Brand Total Price: \$81,000.00.

Councilman Emmons made a motion to table the truck bids to have the Highway Superintendent review all of the bids. Councilman Evans seconded the motion. The following motion was

ADOPTED Ayes 5 (Kaluzny, Emmons, Evans, Gietl, Hillman)
 Nays 0

Correspondence-

NYMIR- the Town received notice of the annual meeting and voting for officers. Councilman Emmons made a motion to vote for the slate of officers. Councilman Hillman seconded the motion. The following motion was

ADOPTED Ayes 5 (Kaluzny, Emmons, Evans, Gietl, Hillman)
 Nays 0

Bank of Green County- Sent a letter stating they have a municipal financing rate program they are from the Catskills.

Public Comment-

There was no public comment.

Old Business-

Best Value Law- Supervisor Kaluzny certified the necessity to pass the law immediately after the public hearing because the law is going to be used for the purchase of a new town truck.

Councilman Gietl made a motion to adopt Local Law 1-2015 titled "A Local Law for Best Value Contracts" Councilman Hillman seconded the motion. The following motion by individual voice vote was

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

State 1% reporting- Supervisor Kaluzny stated he and Clerk Puglisi attended a forum with the County on the reporting and the 1%. A detailed discussion took place regarding how this is to be reported and where the 1% is going to come from.

New Business-

Southern Tier West Training- Supervisor Kaluzny stated we received a letter from Southern Tier West for their annual training at Houghton College at a price of \$40.00 per person. Councilman Emmons made a motion for the Town to pay for any

employee of the Town to go. Councilman Evans seconded the motion. The following motion was

ADOPTED Ayes 5 (Kaluzny, Emmons, Evans, Hillman, Gietl)
 Nays 0

CHIPS- Supervisor Kaluzny stated we are receiving any additional \$13,703.75 from the State for winter recovery for the roads and we need to amend the budget to reflect the increase. This would bring CHIPS to \$105,971.91 in the budget. A detailed discussion took place about what the Highway Superintendent plans to do with the extra money. Superintendent Schneider stated he would like to use the money to do an extra mile chipping of a road, but will wait to see how other roads have held up from the winter. Councilman Evans made a motion to amend the 2015 budget to reflect the increase of \$13,703.75 to the CHIPS fund. Councilman Gietl seconded the motion. The following motion was

ADOPTED Ayes 5 (Kaluzny, Evans, Gietl, Hillman, Emmons)
 Nays 0

Building Permits- Supervisor Kaluzny stated Jim Cline brought new building permits that he would like the town to start using, and they can be put on the website. He stated that by doing this the town will save approximately \$200.00 per year on postage and printing of building permits. Clerk Puglisi stated he emailed the entire packet to the Board members for their review. The Board will review the packet and discuss it at the next board meeting.

Assessor Grievance Day- Supervisor Kaluzny stated he received a call from Franklinville Supervisor Mike Brisky about how the towns want to handle grievance day with the same assessor on the 4th Tuesday of May. Supervisor Kaluzny stated they both talked and the easiest way this year would be having it down in Franklinville Town Hall. The Board had a detailed discussion regarding this issue. Councilman Hillman made a motion to have the 2015 grievance day at the Franklinville Town Hall. Councilman Evans seconded the motion. The following motion was

ADOPTED Ayes 5 (Kaluzny, Hillman, Evans, Emmons, Gietl)
 Nays 0

CAP Agreement- Supervisor Kaluzny stated the previous supervisor entered into a coordinated assessment agreement with the Town of Allegany. He stated currently with the two towns average we reached 100% but this year it might go below the 100%, because of the Town of Allegany, which would mean we would have to do a revaluation of the town to get back to the 100%. Supervisor Kaluzny and Clerk Puglisi both stated the agreement is nowhere to be found in the town hall and have

been reaching out to Allegany for a copy of the agreement. Councilman Emmons stated he will talk to the former supervisor and see why the town entered into the agreement.

Supervisor Report-

A detailed report was given to the Board. Supervisor Kaluzny stated the Town has \$432,474.52 in the General and Highway accounts and \$33,024.70 in the Tax Stabilization account. Councilman Evans made a motion to accept the written Supervisor report. Councilman Gietl seconded the motion. The following was

ADOPTED Ayes 5 (Kaluzny, Evans, Gietl, Hillman, Emmons)
 Nays 0

Clerk Report-

A detailed report was given to the Board. Clerk Puglisi stated he took in \$211.00 and paid out \$211.00. \$190.00 to the Supervisor, \$21.00 Ag and Markets for dog licenses.

Tax Collector Report-

A detailed report was given to the Board. Clerk Puglisi stated the 2015 taxes are closed out and the account balanced to the opening account balance of \$5.00. He stated he collected \$321,741.00 for the Town Warrant and \$526,161.17 for the County, and \$2,688.22 in interest and late notice fees that goes to the Town. He stated he returned unpaid taxes in the amount of \$131,210.42 to the County for them to collect.

Justice Report-

A detailed report was given to the Board. Supervisor Kaluzny stated the Court collected \$215.00 for the month. Clerk Puglisi stated he attended a court clerk training in Buffalo that was held by the 8th Judicial District.

CEO Report-

A detailed report was given to the Board. Supervisor Kaluzny stated the building inspector issued 10 building permits and spoke with several residents about their building without permits.

Highway Report-

Superintendent Schneider gave a detailed report to the Board. Superintendent Schneider stated the highway department is sweeping the roads and have serviced all of the equipment for spring. He stated the trucks and equipment are all running. Superintendent Schneider stated he gave a list of all expenses for the 3 trucks for the

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last three years including today's bills and the total for three years was \$115,634.87. He stated he went back an additional two years for a total of five years and the total was \$150,000. Councilman Emmons asked why buy new plow equipment for new trucks. Superintendent Schneider stated it would cost more to try and get the old plow equipment to fit on a new truck, and with the plow equipment on the old trucks they bring more money for resale value. Councilman Hillman asked what truck would we replace and how do we sell the truck. Superintendent Schneider stated he was not sure which one and the town could sell them on auction international for no fees to the Town. Further discussion on the trucks will take place at the next town board meeting.

Councilman Gietl made a motion to pay abstract 4 of the General fund, claims 48 thru 66 for \$14,092.63 and abstract 4 of the Highway fund, claims 31 thru 44 for \$16,250.10. Councilman Hillman seconded the motion. The following was
ADOPTED Ayes 5 (Kaluzny, Gietl, Hillman, Evans, Emmons)
Nays 0

Councilman Emmons made a motion to go into executive session to discuss the medical and financial employment history of the highway workers. Also to discuss Vital Statistics that is exempt from the open meetings law pursuant to Section 108 Sub 3 of Public Officer Law, which states any matter made confidential be Federal and or State Law is exempt from open meetings law. Councilman Evans seconded the motion. The following was
ADOPTED Ayes 5 (Kaluzny, Emmons, Evans, Hillman, Gietl)
Nays 0

Executive session started at 8:35pm
Executive session ended at 9:00pm

Highway Workers- Councilman Evans made a motion to pay the two town highway employees 100 hours of compensation time at their rate of \$18.20 per hour. Councilman Gietl seconded the motion. The following was
ADOPTED Ayes 5 (Kaluzny, Evans, Gietl, Hillman, Emmons)
Nays 0

Business Cards- Councilman Emmons made motion to pay for business cards that show all the Town officials and office hours. Councilman Evans seconded the motion. The following motion was
ADOPTED Ayes 5 (Kaluzny, Emmons, Evans, Hillman, Gietl)
Nays 0

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Deputy of Vital Statistics- Councilman Hillman made a motion to have Carol Evans be the Deputy Registrar of Vital Statistics and be paid \$10.00 per hour. Councilman Gietl seconded the motion. The following was

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

Nays 0

Councilman Evans abstained from voting.

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 9:10pm.

Respectfully Submitted,

Frank Puglisi, Lyndon Town Clerk