

REGULAR MEETING
June 9, 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 9th day of June 2015.

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

Absent: Sidney Emmons ----- Councilman

Attended by: Numerous Residents.

Supervisor Kaluzny called the meeting to order with the Pledge to the Flag at 7:01pm.

Councilman Evans made a motion to accept the minutes of the May 12, 2015 meeting as written. Councilman Hillman seconded the motion. The following motion was

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

Special Presentation-

Town Historian Barb Lambert presented the Town with two State Flags that her organization the Women's Relief Core has donated to the Town.

Town Historian Lambert presented Councilman Gietl with a book of all of the pictures he drew of the old houses in the Town that he lost in his fire. She stated that she had four pictures framed two to be hung in the offices and two for the boardroom. Councilman Gietl thanked Historian Barb Lambert. The Board also thanked Historian Lambert.

Correspondence-

State Real Property- sent a letter stating Lyndon's assessment is at 100% for the year 2015.

Assessor Bobbi Elderkin- sent a letter regarding the CAP Agreement with the Town of Allegany. Supervisor Kaluzny read the letter to the Board. Assessor Elderkin recommended to let the CAP Agreement be broken when Allegany does a

reevaluation and does not recommend the Town of Lyndon do another reevaluation. Supervisor Kaluzny stated he is also working on setting up a meeting with the Allegany Supervisor to discuss the issue, and will report back to the Board.

Lyndon Fire District- Sent a letter about putting information on to the Town website. Supervisor Kaluzny stated that the update to the website has been done.

Public Comment-

Resident Jack Palmer- Asked about cutting brush and trees on the corner of North Center and Porter. Superintendent Schneider stated he is working on cutting the brush and will get to it soon.

Councilman Hillman- Asked Barb Lambert what her organization was that donated the Flags. Historian Lambert stated the Women's Relief Core and it was founded out of the Civil War.

Highway Worker Hawley- Asked if the Historian section of the website could be switched to reflect the new Historian. Supervisor Kaluzny stated he will get it updated. Councilman Hillman asked when we are going to get historian reports. Councilman Gietl stated that the reports are generally once a year. Supervisor Kaluzny stated we will get a report at the end of the year. Historian Lambert stated that Don's pictures was one of her projects, the other project is she transcribed the Lyndon Hills book so it can be seen by the public and she is getting binders to put stuff in that can be kept at the Town Hall for the Public to see.

Colette Schoening- Asked Councilman Gietl if he would do anymore pictures. Councilman Gietl stated he would do more pictures to make a list and if anybody has any old pictures of the grange or post office to please give them to him.

Old Business-

State 1% reporting- Supervisor Kaluzny stated the report was submitted with the reductions discussed at the last meeting.

CAP Agreement- Supervisor Kaluzny will be meeting with the Allegany Supervisor and will advise the Board.

Grievance Day- Supervisor Kaluzny stated the Board received a copy of the report and there were 5 grievances with a total of \$103,700 in reductions.

Court Building- Supervisor Kaluzny stated all of the Board members have a copy of the plans. A detailed discussion took place by the Board. Councilman Hillman was concerned about the cost of the maintenance of the building in the future. Supervisor Kaluzny stated that there are issues adding on to the building bringing it up to the current codes. Clerk Puglisi stated right now the Town cannot have a jury trial the way the court is currently. Councilman Gietl stated that his concern was a few years ago the Towns were talking about combining all of the little courts. Councilman Hillman stated we are looking at a shell for the building and then we still cannot use it. Supervisor Kaluzny stated we do not know what the building is going to cost until it is put out to bid and this can be done in phases. Councilmen Hillman and Gietl would like to have the engineer draw up another plan. Further detailed discussion took place regarding this issue. Supervisor Kaluzny will contact the engineer and setup a meeting with him and notify the board members when it is.

New Business-

Councilman Gietl made a motion to transfer \$3,140.00 from Highway Contingent to DA9089.9 Other Employee Benefits. Councilman Evans seconded the motion. The following motion was

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

Prior Notice Law- Supervisor Kaluzny stated that the law done in 2013 may not contain all of the necessary wording and the Town Attorney is currently reviewing it now. This issue will be taken up at the next board meeting.

Solar Panel Fee's- Supervisor Kaluzny stated Jim Cline our building inspector suggest adding a fee for solar panel installation. He suggested a fee between \$30 and \$50 dollars. A detailed discussion took place regarding the fee to charge. Councilman Evans made a motion to charge a \$40.00 fee for solar panel installation. Councilman Gietl seconded the motion. The following motion was

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

Resolutions- Clerk Puglisi stated he will be getting safety paper from Chicago Water Mark Company for vital statistic use which will have the Town water mark right in the paper for added security. Clerk Puglisi stated the Town has to keep all of the signed resolutions from the Board, and he would like to get paper from the same company that is acid free and is archival quality so they can be kept in binders and

indexed so people could go through them. He stated all of the resolutions would be written and numbered on these sheets and could not be done from an outside person. Councilman Gietl stated it was a good idea. Clerk Puglisi stated that he is working on writing polices and procedures for vital record, local law, and resolution record keeping that he is going to bring to the Board to have them implement.

Supervisor Report-

A detailed report was given to the Board. Supervisor Kaluzny stated the Town has \$391,630.77 in the General and Highway Funds and \$33,025.80 in the Tax Stabilization Fund. Councilman Evans made a motion to accept the written supervisor report. Councilman Hillman seconded the motion. The following motion was

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

Supervisor Kaluzny stated we received a mortgage tax check from the County in the amount of \$2,784.31, which is not reflected in the Supervisor report.

Supervisor Kaluzny stated the Town has gotten new business cards that all of the Board members have in their file.

Supervisor Kaluzny stated that the Supervisors and Clerks in the County are now receiving ID cards from the County for free.

Clerk Report-

A detailed report was given to the Board. Clerk Puglisi stated he took in \$1,435.00 and paid out \$1,435.00. \$1,157.14 to the Supervisor, \$70.86 to the DEC, \$141.00 to the County for DPW Tickets, and \$66.00 to New York Ag and Markets for Dog Licenses.

Justice Report-

A detailed report was given to the Board. The Court took in \$305.00 for the month of May 2015.

CEO Report-

A detailed report was given to the Board.

Highway Report-

Highway Superintendent Schneider gave a detailed report to the Board. Superintendent Schneider stated he went to Highway Superintendent School in Ithaca. He stated that after the school he is going to be updating the safety signs for road maintenance. He stated that he received a call from Sherriff Butler who is the

Director of Communications for the County, and the County needs five frequencies to use all of the new towers. However Canada is stopping the FCC from allowing the County to use two of the frequencies. He stated the County is trying to come up with a plan B and would like to use the Lyndon Highway Departments frequency and the County would buy the Town all brand new radios to use the frequency. He stated that he told them it was not just up to him, and he would bring it up to the Board. Superintendent Schneider stated the highway department has been working on Carpenter Hill Road and have been replacing culvert pipes and will be chipping it soon.

Paying of Abstracts-

Councilman Gietl made a motion to pay Abstract 6 of the General fund, claims 84 thru 104 for \$2,512.57 and Abstract 6 of the Highway fund, claims 55 thru 65 for \$8,680.36. Councilman Evans seconded the motion. The following motion was

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

Councilman Gietl stated he spoke with Diane Emmons and she said Councilman Sid Emmons was doing well but is not ready visitors yet.

Fire Chief Mike Mitchell asked what the status of the Fire Departments Building Permit. Supervisor Kaluzny stated that the building permit is up to Jim Cline, but the workers comp needs to be worked out. Chief Mitchell said that the Fire Department is the general contractor and they are hiring the Amish. Supervisor Kaluzny stated that they cannot do that because it would go through the fire departments workers comp, which is through the Towns workers comp, and the Town cannot take on the liability of that. More information and details will be looked into on this issue.

Executive Session-

Councilman Gietl made a motion to go into executive session to discuss information with respect to a prosecution of a criminal offense, which would jeopardize effective law enforcement if disclosed. Councilman Hillman seconded the motion. The following motion was

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

Executive Session started at 8:45 pm

Executive Session ended at 9:05 pm

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A letter was circulated during the Board meeting that not every Board member received. All of the Board members now have a copy of the letter and a detailed discussion took place regarding the letter from the Lyndon Fire Department Building Committee.

Being no further business or concerns Councilman Gietl made a motion to adjourn. Councilman Evans seconded the motion. All Ayes the meeting was adjourned at 9:20 pm.

Respectfully Submitted,

Frank Puglisi
Lyndon Town Clerk