

REGULAR MEETING
March 10, 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 10th day of March 2015.

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

Absent: Clifford Evans ----- Councilman

Attended by: Numerous Residents, and the Mercury Gazette.

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

Clerk Puglisi took the role. Councilman Emmons wanted the following statement put into the minutes: "That regarding the discussion about the Historian I am sure I told him I spent more time on the genealogy then I did on the raw history, which is a fact and I think that became miss-interrupted because I absolutely didn't sit there and do nothing on history for two years. I am absolutely positive of that and I don't want that to remain in the record for future posterity."

Councilman Hillman made a motion to approve the minutes as written. Councilman Gietl seconded the motion. The following motion was

ADOPTED Ayes 3 (Kaluzny, Hillman, Gietl)
 Nays 0
 Abstain 1 (Emmons)

Correspondence-

Cattaraugus County Treasurer- Supervisor Kaluzny stated the Treasurer's office sent an account of what it paid to the Town. The Town received \$148,127.40 from sales tax and \$3,751.40 from the mortgage tax.

Association of Towns- Sent a letter about their finance school they are offering for \$200.00.

Public Comment-

Councilman Emmons- Stated that considering the winter we have had the Highway Department has done a hell of a job and was impressed.

Residents Jack and Sharon Palmer also felt the Town Highway Department did a good job this winter.

Old Business-

Best Value Law- Clerk Puglisi stated that Town Attorney Strassel suggested that a paragraph be added about Severability and the last sentence of Section 1 be rewritten.

Councilman Emmons made the following resolution:

Resolution 5-2015

WHEREAS, General Municipal Law § 103 has been amended to provide local governments greater flexibility in awarding contracts by authorizing the award of purchase contracts, including contracts for service work, upon the basis of best value; and

WHEREAS, with the increased complexity of the goods and services that the Town of Lyndon must obtain in order to service taxpayers, it is critical to consider selection and evaluation criteria that measure factors other than cost in the strictest sense; and

WHEREAS, best value procurement links the procurement process directly to the Town's performance requirements, including, but not limited to, selection factors such as useful lifespan, quality and options and incentives for more timely performance and/or additional services; and

WHEREAS, even if the initial expenditure is higher using best value procurement, considering the total value over the life of the procurement may result in a better value and long-term investment of public funds; and

WHEREAS, best value procurement also encourages competition and, in turn, often results in better pricing, quality and customer service; and

WHEREAS, the Lyndon Town Board has indicated its support for the introduction of a local law authorizing contract award based on best value methodology, and the setting of a public hearing on the matter of the adoption of such local law; now, therefore, be it

RESOLVED, that a proposed Local Law identified as Local Law 1-2015, entitled " A LOCAL LAW FOR BEST VALUE CONTRACTS", attached hereto and made a part hereof, is hereby introduced before the Lyndon Town Board, and the Town Board shall hold a Public Hearing on the matter of adoption of such Local Law.

Signed this 10th day of March, 2015

Councilman Gietl seconded the Resolution. The following Resolution was

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

 Nays 0

Clerk Puglisi will put a notice in the paper for a public hearing at 6:30pm on April 14, 2015.

Retirement Audit- Clerk Puglisi stated to satisfy the retirement audit the Board must pass a standard workday resolution for the Highway Workers, Elected Officials, and Appointed Officials.

Councilman Emmons made a motion for the following Resolution:

Resolution 6-2015

BE IT RESOLVED, that the Town of Lyndon / 30620 hereby establishes the following as standard work days for its employees and will report days worked to the New York State and Local Employees' Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the clerk of this body. Title: Highway Workers Standard Workday: 8 hours.

Signed on this 10th of March, 2015.

Councilman Gietl seconded the Resolution. The following Resolution was

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

Councilman Emmons made a motion for the following Resolution:

Resolution 7-2015

BE IT RESOLVED, that the Town of Lyndon / 30620 hereby established the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities.

Title: Highway Superintendent

Standard Work Day: 8 Hours

Name: George Schneider

Current Term Begin and End: 01/01/14 – 12/31/15

Records of Activities: 23.69

Title: Code Enforcement Officer

Standard Work Day: 6 Hours

Name: James Cline

Current Term Begin and End: 01/01/15- 12/31/15

Records of Activities: 6.38

Title: Dog Control Officer

Standard Work Day: 6 hours

Name: James Morgan

Current Term Begin and End: 01/01/15- 12/31/15

Records of Activities: 1.86

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Title: Assessor

Standard Work Day: 6 hours

Name: Bobbi Elderkin

Current Term Begin and End: 08/01/12- 09/30/13

Records of Activities: 1.75

Signed this 10th day of March, 2015.

Councilman Hillman seconded the Resolution. The following Resolution was

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

Nays 0

1% State Tax Freeze Plan-

Supervisor Kaluzny stated the Town will have to submit a plan to the State by June 1, 2015 to reduce the budget by 1%. He asked the Board if they had any suggestions on the General side of the budget for reductions. Highway Superintendent asked if it is 1% of the budget or the tax levy. Supervisor Kaluzny stated the 1% of the tax levy. A detailed discussion took place regarding this issue. Clerk Puglisi stated that by combining the Town Clerk and Court Clerk position it saves the Town \$1,000 per year. Clerk Puglisi stated that by going to a government account with Verizon for Internet we are saving \$40.00 per month that can be used towards the 1%. Supervisor Kaluzny stated by going to direct deposit that is a cost savings that can be shown. Clerk Puglisi stated that from some of the meetings with the County they have said Workers Comp with the County pool can be used but an outside quote would be needed. Supervisor Kaluzny stated Rich Ewell stated he believes NYMIR can also be used towards this as well.

New Business-

Parking Law-

Supervisor Kaluzny stated the parking law we have is from 1998 and may need to be updated. Right now all we can do is tow a car away instead of issuing parking tickets. Highway Superintendent Schneider stated there were a few problems this year during plowing with cars parked on the road. A detailed discussion took place about amount of fines and how to notify the Town Residents of the no parking. Councilmen Emmons and Hillman felt a warning before a ticket is written would be good. Further discussion took place on who can write the ticket and how it will be enforced. The Board asked Clerk Puglisi to contact the Town Attorney and find out who can and can't write the appearance tickets before further action can be taken.

Supervisor Report-

A detailed report was given to the Board. Supervisor Kaluzny stated the Town has \$449,913.46 in the General and Highway funds, and \$33,024.18 in the Tax Stabilization Account. Included in the \$449,913.46 is the \$27,000 for the JCAP Grant, which the town received on 3/1/15.

Councilman Emmons made a motion to accept the written Supervisor report.

Councilman Hillman seconded the motion. The following was

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

Nays 0

Supervisor Kaluzny asked the Board to have the Town subscribe to the Mercury Gazette. Councilman Emmons made a motion to have the Town subscribe to the Mercury Gazette. Councilman Gietl seconded the motion. The following was

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

Nays 0

Clerk Report-

A detailed report was given to the Board. Clerk Puglisi stated he took in \$226.00 and paid out \$226.00. \$173.20 to the Supervisor, \$18.80 to the County for DPW tickets, and \$34.00 to Ag and Markets for dog licenses.

Clerk Puglisi stated the Thank A Veteran Program is up and running and he is waiting on the State to set a date for the Records Management Grant.

Justice Report-

A detailed report was given to the Board. Supervisor Kaluzny stated the Court took in \$735.00 for February.

Highway Report-

Highway Superintendent Schneider gave a detailed report to the Board. He has been doing research regarding new trucks. Superintendent Schneider stated the Cab and chase is between \$120,000 to \$130,000 seeing bids from other Counties. The equipment price is between, \$85,000 to \$90,000. He stated that we can piggyback off of the other Counties bids or we can put them out to bid ourselves.

Superintendent Schneider is going to put a bid out for Cab, Chasse, and equipment to be opened at the next meeting. Superintendent Schneider stated he went to Albany for advocate days to lobby for more money from the State for local roads. He stated he and other Highway Superintendents meet with Senator Cathy Young to lobby for more money for CHIPS. Highway Superintendent Schneider stated a Resident has

started a new company ARBS which is for cutting brush and tree limbs from the side of the roads. The cost would be \$5,000 plus fuel for 40 hours of work. He contacted other companies and the cost to rent the same type of machine is \$2,000 for a week plus trucking the machine to and from. Councilman Emmons asked where the \$5,000 would come from to do this work. Superintendent Schneider stated it would come out of road repair. A detailed discussion took place about hiring ARBS. Councilman Gietl stated it was a luxury the Town could not afford at the moment. The Board felt that the Highway Department should continue to do it in house and not hire the company at the moment.

Councilman Gietl made a motion to pay Abstract 3 of the General Fund, claims 36 thru 47 for \$2,992.37 and Abstract 3 of the Highway Fund, claims 26 thru 30 for \$5,902.32. Councilman Hillman seconded the motion. The following was

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

Councilman Gietl asked for a moment of silence for the passing of Susan Holcomb who lived with Bill and Alice Schultz for 20 years.

Being no further business or concerns Councilman Gietl made a motion to adjourn the meeting. Councilman Hillman seconded the motion. All Ayes the meeting was adjourned at 8:52pm.

Respectfully Submitted,

Frank Puglisi, Lyndon Town Clerk