

REGULAR MEETING  
May 12, 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 12<sup>th</sup> day of May 2015.

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

Absent: Sidney Emmons ----- Councilman  
Don Gietl----- Councilman

Attended by: Numerous Residents, and the Mercury Gazette.

Supervisor Kaluzny called the meeting to order with the Pledge to the Flag at 7:02pm.

Supervisor Kaluzny made a motion to approve the April 14, 2015 minutes as written. Councilman Evans seconded the motion. The following motion was

ADOPTED	Ayes	3	(Kaluzny, Evans, Hillman)
	Nays	0	

Supervisor Kaluzny stated that Councilman Sidney Emmons is not here with us tonight because he had a stroke. We wish him all the luck in the world and hope he joins us soon.

**Correspondence-**

NY Ag and Markets- Sent a letter that they re-inspected Dog Control Officer James Morgan's facilities and he passed and is full compliance.

NYMIR- Sent an accounting statement for the year 2014. The following amounts were listed in the account we have \$1,093.00 invested in NYMIR.

State Comptroller- Sent a letter stating the State paid \$661,000,000 in over time for the year 2014.

**Public Comment-**

None

**Old Business-**

Local Laws- Supervisor Kaluzny stated that the past town attorney was charging to file a local law and through our new attorney the Town Clerk can file the law. This will save the Town approximately \$200.00 per local law.

State 1% Reporting- Supervisor Kaluzny stated that the report must be submitted by June 1, 2015. The following savings will be used: Consolidation of the Town Clerk and Court Clerk, which is a savings of \$1,000.00 per year. Changing the Town Internet and Phone from a commercial account to a government account, which is a savings of \$480.00 per year. Switching to direct deposit for paychecks , which is a savings of \$359.00 per year. Switching to online building permits, which is a savings of \$200.00 per year. Local Law filing the Town Clerk will now do instead of the Town Attorney, which is a savings of \$400.00 per year. The Assessor shared service with the Town of Franklinville is a savings of \$3,100.00 per year. The total savings that is needed is \$2,664.16. The amount calculated is \$5,339.00, which exceeded the needed savings by \$2,674.64.

Building Permits- Supervisor Kaluzny asked if everybody had a chance to review the building permits that Clerk Puglisi emailed everybody. Councilman Hillman asked if Clerk Puglisi could resend the email. The matter will be taken up at the next board meeting. Councilman Evans stated the Fire Departments building permit stated remodeling but it is an addition and the fees would be different. Supervisor Kaluzny stated he would check with Jim Cline the Code Enforcement Officer.

CAP Agreement- Supervisor Kaluzny stated the Town is in an agreement with the Town of Allegany for a coordinated assessment agreement. A detailed discussion took place about the issue. Councilman Hillman stated from what he was reading the agreement does not effect Lyndon if the Town of Allegany does a reassessment, and who has Supervisor Kaluzny spoke with about this agreement. Supervisor Kaluzny stated he spoke with Bobbi the Town Assessor and it was her that brought this matter up because she thought we should be aware of it. Supervisor Kaluzny stated the Assessor stated we could keep our current assessment for ten to fifteen years. Councilman Evans felt the Town should get out of the agreement. The matter will be taken up at the next Board meeting.

**New Business-**

Transfer Funds- Councilman Evans made a motion to transfer \$100.00 from Contingent A1990.4 to DCO Contractual A3510.4. Councilman Hillman seconded the motion. The following motion was

ADOPTED     Ayes     3     (Kaluzny, Evans, Hillman)  
                     Nays     0

Town Pick Up- Highway Superintendent Schneider stated the town pick up is a 2004 Ford and the body is shot on it, and is starting to run rough. The Pick up will need \$4,000 or more worth of work. Superintendent Schneider stated the County of Chautauqua bid out pick ups and received a bid of \$33,201.65 for a 2015 Chevy 2500 4x4 pick up with a plow. He stated the truck list for \$52,000. Councilman Hillman stated he thought it should have been bought a couple of years ago. A detailed discussion took place regarding buying a new pick up. Councilman Hillman asked where the money for the pick up would come from. Superintendent Schneider stated there is money in the new equipment part of the budget. Councilman Hillman stated he felt the Town should buy it. Councilman Evans stated if we could afford it then we should buy it.

Councilman Hillman made the following resolution

Town of Lyndon  
Resolution 6-2015- Truck Bid

**WHEREAS:** The Town of Lyndon pursuant to the authority granted in General Municipal Law section 103 subsection 16, which allows the Town to make purchases of apparatus, materials, equipment and supplies, and to contract for services related to the installation, maintenance or repair of such items, through a contract let by the United States of America or any agency thereof, any state or any other county, political subdivision or district therein if several prerequisites are met,

**WHEREAS:** The County of Chautauqua has met the prerequisites by soliciting bids for a pick up truck, and said was noticed properly and received,

**WHEREAS:** Emerling Chevrolet located at 9000 Boston State Road, Boston New York 14025 had the lowest bid price,

**WHEREAS:** The Town of Lyndon desires to purchase a new pick up under the bided contract with Chautauqua County received from Emerling Chevrolet,

**THEREFORE BE IT RESOLVED:** By the Governing Board of the Town of Lyndon is authorizing the purchase of a pick up truck from Emerling Chevrolet of Boston New York at the bided contract price from Chautauqua County.

Signed this 12<sup>th</sup> day of May 2015.

Councilman Evans seconded the resolution. The following resolution was

ADOPTED    Ayes    3    (Kaluzny, Hillman, Evans)  
                 Nays    0

Town Insurance- Supervisor Kaluzny read a letter from Rich Ewell stating the Town will receive \$2,768.49 in reimbursements from the insurance company for the Supervisor lawsuit. This money is reimbursement for former Town Attorney Brautigam fees.

Supervisor Kaluzny stated Rich Ewell also sent a letter about the 2015 – 2016 renewal. The letter stated that our premium is lower now than when the Town joined NYMIR in 2005.

Court Building- Supervisor Kaluzny stated the building committee, meet with the engineer about the Court Building and the engineer is going to engineer it backwards from what is needed and how it gets put together. Supervisor Kaluzny stated there is a few options that we can do to build it including bidding the building out in different stages. Councilman Hillman asked if the Board will be able to see the plans. Supervisor Kaluzny said yes of course. A detailed discussion took place regarding the building and where it will go and what will be in it. Further discussion will take place once the engineer gets the draft plans done.

Town Website- Supervisor Kaluzny stated we had a situation arise yesterday regarding our Town website. He stated Dale Carlson emailed Southern Tier West to put updates on the website for the Fire Department and Fire Commissioners circumventing the plan he put in place, and it was not up to him to do this, and again he is over stepping his bounds. Supervisor Kaluzny stated he notified Southern Tier West and they apologized for the mix up and took everything down. Councilman Evans stated at the meeting it was discussed everything goes through the Supervisor. Clerk Puglisi stated Carlson emailed him and copied Southern Tier West. He then emailed Carlson back stating everything for the website has to go through the Supervisor. Clerk Puglisi stated even his minutes that are on the website are emailed to the Supervisor to be forwarded to Southern Tier West. Supervisor Kaluzny stated then Carlson emailed him “will do thanx for the cooperation (sarcasm intended).” Secretary of the Fire Commissioners Kathy Behm asked Supervisor Kaluzny what his email address is that the information is suppose to come to. Supervisor Kaluzny stated [lyndonsuper@inbox.com](mailto:lyndonsuper@inbox.com). Clerk Puglisi played the recording of the February 2014 meeting of Carlson stating everything needs to go through the Town Supervisor. Fire Chief Mike Mitchell asked what were the updates. Supervisor Kaluzny stated it was the list of fire company positions and commissioners. Chief Mitchell asked then why not just let it be put up. Supervisor Kaluzny stated there is a protocol just like in the fire Department you are the chief you do not let any member just do something it has to go through you. Chief Mitchell stated yes. Supervisor Kaluzny stated it’s the same with the Town and when he gets a civil email he will have the updates put on immediately.

### **Supervisor Report-**

A detailed report was given to the Board. Supervisor Kaluzny stated we have \$427,261.05 in the General and Highway Funds and \$33,024.70 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    3    (Kaluzny, Evans, Hillman)  
                 Nays    0

Supervisor Kaluzny stated the Town received the 1<sup>st</sup> quarter sales tax check for \$35,474.50 from the County. He stated this was a decrease of about \$1,500.00 from previous checks, and the amount was not reflected in the supervisor report.

### **Clerks Report-**

A detailed report was given to the Board. Clerk Puglisi stated he took in \$592.00 and paid out \$592.00. \$441.21 to the Supervisor, \$37.79 to the DEC, \$47.00 to the County for DPW tickets, and \$66.00 to Ag and Markets.

Clerk Puglisi stated he did not put in for the Records Management Grant because they would not cover the HVAC system again because the Town already received one from the grant in 2002.

### **Justice Report-**

A detailed report was given to the Board. The Justice took in \$230.00 for the Month of April.

### **CEO Report-**

A detailed report was given to the Board. Supervisor Kaluzny stated 10 permits were issued.

### **Highway Report-**

Highway Superintendent Schneider gave a detailed report to the Board. He stated the Highway Department has been grading roads digging ditches cutting brush and doing maintenance. He stated last month they opened the 10 wheeler bids and the trucks were about \$2,400.00 apart and the equipment was very close too. He recommends that the Board have a special meeting when Councilman Gietl can be there to discuss the bids. He stated the Highway Department is going to a safety course that NYMIR is putting on about truck safety. He stated he went to Houghton College Southern Tier West training and got a lot of information from the 4 courses that he took. Superintendent Schneider stated the State is going to be milling 242 between Ellicottville and Machias and the State called to see if we could help with trucks for removing millings. He stated any millings the Town hauled away the Town was able to keep for free.

Councilman Evans made a motion to pay abstract 5 of the General fund claims 67 thru 85 for \$14,836.41 and Abstract 5 of the Highway fund, claims 45 thru 54 for \$10,604.88. Councilman Hillman seconded the motion. The following was

ADOPTED    Ayes   3    (Kaluzny, Evans, Hillman)  
                 Nays   0

Being no further business or concerns Councilman Evans made a motion to adjourn. Councilman Hillman seconded the motion. All Ayes the meeting was adjourned at 8:16pm.

Respectfully Submitted,

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Frank Puglisi  
Lyndon Town Clerk