

REGULAR MEETING
March 8, 2016

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 8th day of March 2016.

Present: Carol Evans ----- Supervisor
Paul Knapic ----- Councilman
Clifford Evans ----- Councilman
Scott Hillman ----- Councilman
Frank Puglisi ----- Clerk
Scott Hawley ----- Deputy Supt. of Highways

Absent: Don Gietl----- Councilman

Attended by: Numerous Residents and the Mercury Gazette.

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

Clerk Puglisi stated that the minutes were not sent out because they are saved on the Clerk's computer, which has not been working for a couple of weeks.

Correspondence-

Supervisor Evans stated the town received a letter about USDA grants and loans. The Board will review the letter and discuss it at the next board meeting.

Public Comment-

Lyndon Fire District Secretary Kathy Behm stated the Fire District is having a referendum on March 15, 2016 to establish a capital Reserve Fund for radios and equipment. The vote will be at the Fire Hall between 6:00 pm and 9:00 pm.

Old Business-

Records Room- Clerk Puglisi stated that the electric is going to be put in first then the insulation will be put up and then the heat. He stated after that the records and everything can be moved into the records room. He stated he hopes that it will be done before April 19th the presidential primary.

Computer- Clerk Puglisi stated that there is a loose wire in the desktop, and it has not been turning on for the last couple of weeks. He stated that everything is backed up but the town needs a new computer as soon as possible. He gave the Board a comparison of 5 different computers. The computers were a HP, 2 Dells, and 2

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Apple computers. Clerk Puglisi stated that Staples has an all in one Dell, which would be perfect for the Town. The price is \$749.00, which is below the price of the state discount from Dell. The Board asked if it would work with all of the current programs. Clerk Puglisi said yes but we will have to buy Microsoft Office and he is looking into the government discount price for it. He also stated that he would like to do the cloud backup in house instead of the Carbonit cloud backup the town currently uses. He stated the cost of the back up would be a one-time fee of \$150 to \$200 instead of the \$60 per year we are currently paying and it would back up all of the computers instead of just one. Councilman Knapic made a motion to buy a Dell desktop from Staples and the cloud back up from Staples. Councilman Hillman seconded the motion. The following motion was

ADOPTED Ayes 4 (Evans, Knapic, Hillman, Evans)
 Nays 0

Constable Law- Supervisor Evans stated everybody received the new constable law and the only change that needs to be made is in section 3 to the wording the Board shall determine remuneration of the constables at the organizational meeting each year. Councilman Evans made a motion to change the wording in section 3 and to have the attorney send it to DCJS for approval. Councilman Hillman seconded the motion. The following motion was

ADOPTED Ayes 4 (Evans, Evans, Hillman, Knapic)
 Nays 0

Once the law is approved by DCJS a public hearing will be set up for public input.

Association of Towns Training- Clerk Puglisi stated he attended the training in NYC and thanks the Board for sending him. He stated it was very informative and everybody should attend this training. He stated that the Town needs to work on policies and procedures, which are currently lacking or deficient. Supervisor Evans suggested that the Board have some work sessions on policies and procedures to get the problems corrected. Clerk Puglisi stated that the tax stabilization account cannot be used unless there is a change in a State or Federal law that negatively impacts the town budget. He stated the Comptrollers Office said they have been telling municipalities for the last 10 years not to fund those accounts and out of the 932 Towns in New York only 48 have funded tax stabilization fund. Clerk Puglisi stated there is one way of accessing the funds by switching the money over to a retirement reserve fund, and then not fund the retirement in the budget, and use the retirement reserve. The funds that would normally fund the retirement then can be used for a project in the town such as roadwork. Councilman Evans asked if the account was not set up correctly then can we just take the funds out of the account. Clerk Puglisi stated that the comptroller's office said that if they are not set up correct then most of the time they will allow that. Supervisor Evans stated she has been looking and cannot find any of the paperwork for this fund. More research will be done to find out if it was set up correctly, and will be discussed at the next meeting.

New Business-

Building Permits- Supervisor Evans stated that there is a copy of a sample of a new residential building permit application in everybody's folder. She asked the Board to review it and stated there has been some problems with people putting in permits for one thing and they are build something else. Clerk Puglisi stated that on the sample it list that even though they are paying for the application the clerk can not give them a permit only the Code Enforcement Officer can. He also stated that there is wording on it making people certify and sign off to what they are actually going to build. The Board will review this and will set up a meeting with Jim Cline the Code Enforcement Officer.

Peddler Law- Supervisor Evans stated the Town received calls from both the State Troopers and the Sheriffs to see if we have a Peddler Law. She stated we do not have one on the books right now. Fire District Secretary asked if the law would prohibit the Fire Department from sending out donation letters. The Board will ask the town attorney to look in to it. Councilman Knapic made a motion to have the attorney write a Peddler Law for review. Councilman Evans seconded the motion. The following motion was

ADOPTED Ayes 4 (Evans, Knapic, Evans, Hillman)
 Nays 0

Weight Limit Law- Supervisor Evans stated that Superintendent Schneider suggested the Town have a weight limit law to protect the roads because of what is going on in other towns with major projects and heavy equipment being brought on the roads. A detailed discussion took place by the Board. Deputy Superintendent Hawley stated the Town has some signs on roads right now. Councilman Knapic stated we need something to back the signs up. Assistant Fire Chief Bowles stated that if you limit it too much the fire trucks cannot go down the roads. Councilman Knapic stated they are emergency vehicles and would be able to go down any road. Councilman Hillman stated that we have to see if that information needs to be put into the law and any other exemptions. The Board will check with the attorney and see what needs to be in the law. Councilman Knapic made a motion to have the Town Attorney write a Weight Limit Law. Councilman Evans seconded the motion. The following motion was

ADOPTED Ayes 4 (Evans, Knapic, Evans, Hillman)
 Nays 0

Southern Tier West Training- Supervisor Evans stated Southern Tier West is have their annual training at Houghton Collage and asked if anybody would like to go. Supervisor Evans, Councilman Evans, Clerk Puglisi, Highway Superintendent

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Schneider are planning on going. Both Councilmen Knapic and Hillman would like to attend but need to check on their schedules. Supervisor Evans stated at the April meeting they can get a count. Councilman Evans made a motion to pay for any Town Employee to go to the Southern Tier West training. Councilman Knapic seconded the motion. The following motion was

ADOPTED Ayes 4 (Evans, Evans, Knapic, Hillman)
 Nays 0

Supervisor Report-

A detailed written report was given to the Board. Supervisor Evans stated the Town has \$575,763.59 in the General and Highway Accounts and \$33,029.57 in the Tax Stabilization Account.

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

Councilman Knapic seconded the motion. The following motion was

ADOPTED Ayes 4 (Evans, Hillman, Knapic, Evans)
 Nays 0

Clerk Report-

A detailed written report was given to the Board. Clerk Puglisi stated he took in \$395.00 and paid out \$395.00, \$290.00 to the Supervisor, \$58.00 to Ag and Markets, and \$47.00 to the County for DPW Tickets.

Justice Report-

A detailed written report was given to the Board. Court Clerk Puglisi stated the Court took in \$330.00 for the month of February.

CEO Report-

A detailed written report was given to the Board.

Highway Report-

Deputy Superintendent Hawley gave a detailed report to the Board. He stated that Highway Superintendent Schneider is in Albany to lobby for more CHIPS money. He stated the Highway Department received the new plow truck and they have some questions about the equipment that is on it. He stated Superintendent Schneider was talking with Valley Fab about it. Deputy Superintendent Hawley stated the Highway Department has been fixing potholes and preparing for the summer work.

Councilman Evans made a motion to pay abstract 3 of the General Fund Claims 35 thru 55 for \$19,386.55 and abstract 3 of the Highway Fund Claims 27 thru 37 for \$13,314.47. Councilman Hillman seconded the motion. The following motion was

ADOPTED Ayes 4 (Evans, Evans, Hillman, Knapic)
 Nays 0

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Being no further business or concerns Councilman Knapic made a motion to adjourn the meeting. Councilman Evans seconded the motion. All Ayes the meeting was adjourned at 7:46 pm.

Respectfully Submitted,

Frank Puglisi
Lyndon Town Clerk