

Regular meeting of the Commissioners, Lyndonville Joint Fire District was held on Wednesday February 8, 2023, at the Lyndonville Village Hall. The meeting opened at 5:30 PM

PRESENT: Commissioners: Scott Goetze - Absent
John Flanagan
James Hydock
Edward Jay
Terry M. Woodworth

Secretary-Treasurer Teri M. Woodworth
Fire Dept Chief Michael Heideman
Fire Dept President David Hydock
Attorney
Public: Mark Bulter (via Zoom)

PRIVILEGE OF THE FLOOR

- The Law Offices of Mark C. Butler, PLLC presented the Commissioners with a presentation of his services. Mr. Butler noted he has 38 years of experience and offers the required Commissioners training, sample minutes and policies. Commissioner Hydock asked about policies that need to be done as soon as possible. Mr. Butler noted code of ethics, procurement, sexual and other harassment. Commissioner Jay asked if we've already adopted a few policies would Mr. Butler be able to review and advise. The Commissioners inquired what the retainer would be for his services. Mr. Butler noted \$395.00 per hour, retainer of \$3,500.00 to start and services charged for would be subtract from retainer. Mr. Butler noted a retainer replenishment letter sent out when the balance remaining was \$750.00. Mr. Butler estimated legal fees of \$5,000.00 in the first year. Commissioner Woodworth inquired if professional services had to follow the procurement policy. Mr. Butler noted professional services are not required to do competitive bidding. Commissioner Woodworth inquired if the new Joint Fire District owns everything or only what was transferred from the Village. Mr. Butler noted the Fire Company is separate and owns its own stuff. Mr. Butler noted the District cannot fuel, operator etc. anything that is owned by Fire Company. Commissioner Hydock inquired if the Commissioner's had to take the Commissioners training on the Pinsky Law Group's site. Mr. Butler noted he would be willing to come out do the Commissioners training onsite for all at once. Commissioner Hydock inquired if members are allowed to do work/provide services to the Fire Hall. Mr. Butler noted prevailing wage would have to be paid, members can do but have to be careful in the event they were to get injured they are no longer serving in the capacity of member at that point and therefore should have insurance covering them and their services.

APPROVAL OF THE MINUTES

ON MOTION of Commissioner Hydock seconded by Commissioner Jay, to accept the minutes of the January 12, 2023 regular meeting.

Vote: 4 Ayes (Flanagan, Hydock, Jay, Woodworth); 0 Nays; 0 Abstain

Report – Attorney

- Nothing

Report – Fire Department Chief Heideman

- Chief Heideman provided the January 2023 – 12 Call for the Year 2023, 12 Calls for January (3 – EMS Village, 7 – EMS Town, 1 – Vehicle Fire Village and 1 – Mutual Aid to Middleport)
- Chief Heideman presented the Commissioners with a new member application for Jeffrey Lyons. Chief Heideman noted Mr. Lyons is a current member of the Shelby Fire Department and would like to make a lateral transfer to the Lyndonville Fire Company.

RESOLUTION NO 2023-16

NEW MEMBERSHIP – JEFFREY LYONS – LATERAL TRANSFER

ON MOTION of Commissioner Woodworth seconded by Commissioner Hydock, to accept Jeffrey Lyons as a new member of the Lyndonville Fire Company as a lateral transfer from the Shelby Fire Department.

Vote: 4 Ayes (Flanagan, Hydock, Jay, Woodworth); 0 Nays; 0 Abstain

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- Chief Heideman presented the Commissioners with a quote of \$5,480.00 to purchase two sets of turnout gear Municipal Emergency Services.

RESOLUTION NO 2023-17

PURCHASE OF TWO SETS OF TURN OUT GEAR

ON MOTION of Commissioner Flanagan seconded by Commissioner Jay, to authorize Chief Heideman to purchase two sets of turn out gear from Municipal Emergency Services totaling \$5,480.00.

Vote: 4 Ayes (Flanagan, Hydock, Jay, Woodworth); 0 Nays; 0 Abstain

- Chief Heideman noted the FEMA Grant submission is all set and it was submitted for a washer & dryer.

Report – Fire Department President Hydock

- President Hydock reminded anyone interested in attending the four Fire District’s meeting its this Saturday at 9:00am at the Barre Fire Hall.
- President Hydock noted he recently was informed the Holley Joint Fire District has terminated their contract with the Pinsky Law Group.

Report – Secretary-Treasurer Woodworth

- Secretary-Treasurer Woodworth confirmed the grant paperwork has been submitted, she will confirm G&G is all set to make the submission.
- Secretary-Treasurer Woodworth noted she’s obtained a Duns number for the Lyndonville Joint Fire District.
- Secretary-Treasurer Woodworth noted she’s has been working on setting up accounts with all the vendors previously under the Village of Lyndonville.
- Secretary-Treasurer Woodworth noted she’s in is in the process of setting up the M&T bank account online.
- Secretary-Treasurer Woodworth noted the Department of Labor forms SH-900.1 and SH-900 have been filed with the Stated and posted at the Fire Hall.
- Secretary-Treasurer Woodworth asked the Commissioner’s for approval to reimburse EMS Captain Anna Schuner \$31.95 for the purchase of replacement portable transport unit deemed unusable after used at a call. Secretary-Treasurer Woodworth noted she will get a tax-exempt Amazon account setup for the District going forward for such purchases.

RESOLUTION NO 2023-18

REIMBURSEMENT OF \$31.95 TO EMS CAPTAIN ANNA SCHUNER

ON MOTION of Commissioner Flanagan seconded by Commissioner Hydock, to reimburse EMS Captain Anna Schuner \$31.95 for replacing the portable transport unit.

Vote: 4 Ayes (Flanagan, Hydock, Jay, Woodworth); 0 Nays; 0 Abstain

- Vouchers – Abstract A1-A2 #9 - #23 to be paid for 2023
General \$ 16,160.89
Grand Total \$ 16,160.89

RESOLUTION NO 2023-19

VOUCHERS TO BE PAID FOR ABSTRACTS A2

ON MOTION of Commissioner Flanagan seconded by Commissioner Jay, to authorize Secretary-Treasurer Woodworth pay Abstracts A1-A2 #9 – #23 pending receiving the Fire District Tax funds from the Town of Yates.

Vote: 4 Ayes (Flanagan, Hydock, Jay, Woodworth); 0 Nays; 0 Abstain

Report – Commissioner Flanagan

- Nothing

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Report – Commissioner Jay

- Nothing

Report – Commissioner Hydock

- Nothing

Report – Commissioner Goetze

- Nothing - Absent

Report – Commissioner Woodworth

- Commissioner Woodworth recommended that the Lyndonville Joint Fire District hire The Law Offices of Mark C. Butler, PLLC as the Attorney for 2023.

RESOLUTION NO 2023-20

2023 ATTORNEY OF THE LYNDONVILLE JOINT FIRE DISTRICT – THE LAW OFFICES OF MARK C. BUTLER, PLLC

ON MOTION of Commissioner Woodworth, seconded by Commissioner Flanagan, to appoint The Law Offices of Mark C. Butler, PLLC as attorney for the Lyndonville Joint Fire District.

Vote: 4 Ayes (Flanagan, Hydock, Jay, Woodworth); 0 Nays; 0 Abstain

- Commissioner Woodworth recommended a letter terminating the contract with the Pinsky Law Group be sent out.

RESOLUTION NO 2023-21

TERMINATION OF LEGAL SERVICES WITH THE PINSKY LAW GROUP

ON MOTION of Commissioner Hydock, seconded by Commissioner Jay, to send a letter from the Lyndonville Joint Fire District and Lyndonville Fire Company terminating the legal services and contract with the Pinsky Law Group effective February 9, 2023.

Vote: 4 Ayes (Flanagan, Hydock, Jay, Woodworth); 0 Nays; 0 Abstain

- Commissioner Woodworth presented the Commissioners with quotes on changing the locks at the Fire Hall, key fobs of \$10,654, \$11,958, \$13,420. Commissioner Woodworth noted the Best locks company could change the cores for \$1,030 or a new key system of \$2,255. The Commissioners discussed and will work talk more with the President and Chief.

OLD BUSINESS:

- Shared Services Agreement – Generator – Commissioner Woodworth is working on a draft that will need to go to the Fire District’s Attorney and the Village Attorney for review and approval.
- Policies – Secretary-Treasurer Woodworth recommended that we work the new Attorney on policies.

NEW BUSINESS:

- New York Local Government Records LGS-1 – Secretary-Treasurer Woodworth presented the Commissioner’s with the New York Local Government Records LGS-1 resolution which establishes the retention on all records.

RESOLUTION NO 2023-22

RETENTION AND DISPOSITION SCHEDULE FOR NEW YORK LOCAL GOVERNMENT RECORDS (LGS-1)

RESOLVED, By the Commissioners of the Lyndonville Joint Fire District that Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

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FURTHER RESOLVED, that in accordance with Article 57-A:

(a) only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein;

(b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

ON MOTION of Commissioner Flanagan seconded by Commissioner Hydock, to accept the retention and disposition schedule for the New York Local Government Records (LGS-1).

Vote: 4 Ayes (Flanagan, Hydock, Jay, Woodworth); 0 Nays; 0 Abstain

- NYCLASS – Secretary-Treasurer Woodworth presented the Commissioners with a resolution to open reserve accounts with New York Cooperative Liquid Assets Securities System (NYCLASS) as that is where the reserve account is with the Village and current interest rates are 4.39%. This would allow Secretary-Treasurer Woodworth to transfer the funds from the Village to the District much quicker.

RESOLUTION NO 2023-23

MUNICIPAL COOPERATION RESOLUTION

WHEREAS, New York General Municipal Law, Article 5-G, Section 119-o (Section 119-o) empowers municipal corporations [defined in Article 5-G, Section 119-n to include school districts, boards of cooperative educational services, counties, cities, towns and villages, and districts] to enter into, amend, cancel, and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers, and duties on a cooperative or contract basis;

WHEREAS the Lyndonville Joint Fire District wishes to invest portions of its available investment funds in cooperation with other corporations and/or districts pursuant to the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019;

WHEREAS the Lyndonville Joint Fire District wishes to satisfy the safety and liquidity needs of their funds;

NOW, therefore, it is hereby resolved as follows:

That Teri M. Woodworth Secretary-Treasurer of the Lyndonville Joint Fire District is hereby authorized to participate in the NYCLASS program under the terms of the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019.

ON MOTION of Commissioner Jay seconded by Commissioner Flanagan, to accept the New York Cooperative Liquid Assets Securities System Municipal Cooperation Resolution.

Vote: 4 Ayes (Flanagan, Hydock, Jay, Woodworth); 0 Nays; 0 Abstain

- Commissioner Woodworth noted that WEX denied the District due to no credit history and that Secretary-Treasurer Woodworth is looking into further for fuel.

ON MOTION of Commissioner Flanagan, seconded by Commissioner Hydock, to adjourn the regular meeting of the Lyndonville Joint Fire District at 6:43PM.

Vote: 4 Ayes (Flanagan, Hydock, Jay, Woodworth); 0 Nays; 0 Abstain

Teri M. Woodworth
Secretary-Treasurer
Lyndonville Joint Fire District