

VILLAGE OF LEROY BOARD OF TRUSTEES

Minutes of Regular Meeting held on

March 15, 2023

Village Hall, 3 West Main St., Le Roy, NY

PRESENT: Mayor Gregory Rogers
Trustee Raymond Yacuzzo
Trustee William Kettle
Trustee James Bonacquisti
Chief of Police Greg Kellogg
WWTF Superintendent Steven Carroll
DPW Supervisor Robert Lathan
Clerk-Treasurer Eileen Carmel
Deputy Clerk-Treasurer Katie Eick

Absent: Trustee Richard Tetrault

Others Present: John Allen, Bob Taylor

Mayor Rogers called the meeting to order at 7:00 pm, followed by the Pledge to the Flag.

APPROVAL OF MINUTES:

A motion was made by Trustee Yacuzzo to approve the minutes of the Board of Trustees meetings on 2/22/23 and 3/6/23. It was seconded by Trustee Bonacquisti and passed unanimously.

COMMUNICATIONS:

Bob Dawley letter about trees – DPW Sup. Lathan said that the trees would be cut down but the recent snowfall had affected the schedule.

Gen Cty Municipal Grant Writing Assistance Program – Up to \$5000 is available to municipalities for use with professional grant-writing services.

Jay Grasso-G&G Municipal Consulting & Grant Writing – Offered his services with grant writing. We'll keep the information on file.

DEPARTMENT CONSIDERATIONS:

LPD: Chief Kellogg said all is good with the department. Officer Smith was finishing up his training that night.

WWTF:

- Supervisor Carroll said they were having problems with equipment at the new influent building but were dealing with it.
- Attended the Buffalo Environmental Convention, where he did a training on PFAS (per- and polyfluoroalkyl substances) and said they're looking at 10parts/billion (basically the same amount as a drop of water in an Olympic-sized pool).
- The landfill we use has lost half their capacity for sludge on their permit. It's a concern.

DPW: Everything is OK.

Clerk: The Municipal Historian has asked permission to hold historical lectures on an occasional evening in the Village Hall.

A motion was made by Trustee Yacuzzo for a Resolution to approve use of the Village Hall meeting room by the Municipal Historian, Lynne Belluscio, to conduct historical lectures, scheduled through the Clerk's Office. It was seconded by Trustee Kettle and passed with voting as follows: Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

OLD BUSINESS:

WWTF Phase 2 Special Inspections Proposal: Per Supt. Carroll, this is for the special inspection and testing on the pour of the concrete for the new UV section. On the advice of Village engineering firm, CPL, and after review of the proposal from Encorus Group, **Trustee Yacuzzo made a motion for a Resolution to Approve the Phase 2 Special Inspections Proposal from Encorus Group, time and material not to exceed \$7500 without Village approval.** It was seconded by Trustee Kettle, and passed with voting as follows: Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

WWTF Project Phase 1 Contractor Pay App: **Trustee Yacuzzo made a motion for a Resolution to Authorize payment of Pay App. #11 to Kaplan-Schmidt Electric for \$17,100.00.** It was seconded by Trustee Kettle, and passed with voting as follows: Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

WWTF Project Phase 1 Contractor Pay App: **Trustee Bonacquisti made a motion for a Resolution to Authorize payment of Pay App. #21 to Wind-Sun Construction for \$147,015.82.** It was seconded by Trustee Yacuzzo, and passed with voting as follows: Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

Municipal Waiver – Sweet Betty's liquor license: This waives the advanced notice to a local municipality required by the NYS Liquor Authority in order for a restaurant to apply for an On-Premises Liquor License. **Trustee Yacuzzo made a motion for a Resolution to Approve the Waiver of 30-day Advanced Notice to Local Municipality form and allow Clerk-Treasurer Carmel to sign it.** It was seconded by Trustee Bonacquisti, and passed with voting as follows: Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

Schedule Public Hearing: **Trustee Bonacquisti made a motion for a Resolution to Schedule a Public Hearing on April 12, 7PM at Village Hall, 3 West Main St., regarding the Tentative Village Budget for fiscal year 2023-24.** It was seconded by Trustee Kettle, and passed with voting as follows: Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

USDA Invasive Insect Survey: The US Dept. of Agriculture has asked permission to survey/place traps for invasive pests, the European Cherry Fruit Fly and the Box Tree Moth, on Village property. **Trustee Yacuzzo made a motion for a Resolution to Approve the USDA to survey/trap on Village-owned property for the European Cherry Fruit Fly and the Box Tree Moth.** It was seconded by Trustee Bonacquisti, and passed with voting as follows: Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye. For more information on this program, please see the Village website, villageofleroyNY.org and under the Residents tab, click “USDA Trapping Insects in the Village.”

Festival Permit Applications: Several groups have applied for festival permits in the Village:

- Little League Parade – 4/29, 9:00 – 10:00 am, Main St.

- Historical Society Chicken BBQ – 5/21, 10:00am – 4:00pm, Trigon Park
- Oatka Festival Dance – 7/14, 5:30 – 10:00pm, Summit St. Tennis Courts
- Oatka Festival Parade – 7/15, 11:00am – 12:00pm, Main St.
- Oatka Festival and Car Show – 7/15 – 7/16 10:00am – 5:00pm, Trigon Park and Creebank/Wolcott St.

Trustee Bonacquisti made a motion to approve all festival permit applications, with proper signatures. The motion was seconded by Trustee Kettle and passed with voting as follows: Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

CITIZEN PARTICIPATION:

John Allen (Chairman, Zone Board of Appeals) and Bob Taylor (Member, Zoning Board of Appeals) brought the following concerns to the Board:

- The fine for building without a permit in the Village is only \$100. That’s not a good deterrent.
- They feel the Zoning Code needs to be updated. Mayor Rogers and Trustee Yacuzzo said they talked about this last year.
- The form used by the ZBA to evaluate each property “has no teeth.”

Mayor Rogers said they would schedule a Monday workshop meeting to discuss updating the Zoning Code. It won’t be in April, but down the road. Mr. Allen and Mr. Taylor were satisfied. Mayor Rogers also stated the Code Enforcement Officer Mike Risewick brought it to his attention that the ZBA members aren’t paid to attend meetings, unlike all the Town Boards which are compensated. The Village is in the middle of the budget process for the new fiscal year so he’d like to add it in.

Trustee Bonacquisti made a motion for a Resolution to Authorize Payment of \$50.00/meeting attendance for each Zoning Board of Appeals member, up to five members. It was seconded by Trustee Yacuzzo, and passed with voting as follows: Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

ADDED:

Mayor Rogers asked Deputy Clerk-Treasurer Eick if she had anything to report. She said the Sewer Audit the Clerk’s Office has been working on for the last few months is almost completed. Letters will be mailed out soon to property owners for several small issues but she wanted to inform the Board of two larger issues:

- 66 Lake St. is listed as an “Inn/Lodge” by the Tax Assessor with more units than is currently listed in the sewer program. She will follow up with Code Enforcement and the Tax Assessor to check documentation and confirm exact unit numbers.
- Lake St. Meadows Trailer Park– the sewer account has been vastly underestimated for years. The owner of the property was also the manager of the factory and office building next door. The office building and trailer park had the same account number in the sewer program and, most of the time, the system only picked up the usage from the office building instead of the trailer park. It was only discovered last year when the factory and office building sold and the program error was fixed. MCWA meter readings going back 6 years were obtained and, once the account was recalculated, it is now \$16,000 in arrears, without penalties. Also, the April 30th deadline to relevy sewer charges to Village tax bills is coming up soon. She asked the Board how they wanted to address the situation.

Trustee Bonacquisti made a motion for a Resolution to Authorize Deputy-Clerk Eick to send a letter to the owner of the Lake Street Meadows LLC and include the \$16,000 arrears bill. At the next Board meeting on April 12, the Board will make a decision regarding the sewer relevy to taxes. It was seconded by Trustee Yacuzzo, and passed with voting as follows: Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

OFFICIAL CONSIDERATIONS:

Trustee Kettle: Everything is good.

Trustee Bonacquisti: Everything is good.

Trustee Yacuzzo: We need to get back to the Master Plan workshops. The Board members agreed.

Mayor Rogers: Nothing to report.

AUTHORIZATION TO PAY BILLS:

Trustee Bonacquisti made a **Motion to Pay Bills, “reluctantly,” retroactive to 2/21/23.** It was seconded by Trustee Kettle and passed unanimously. Payment is as follows:

General Fund: Auto pays and check numbers 25833 - 25879, totaling \$339,878.40

EXECUTIVE SESSION:

Trustee Bonacquisti made a motion to go into Executive Session. It was seconded by Trustee Kettle, and passed with voting as follows: Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye. Mayor Rogers asked that Supt. Carroll and Sup. Lathan remain for the session. Session was entered at 7:28 PM.

RETURN TO REGULAR SESSION:

Trustee Bonacquisti made a motion to Return to Regular Session. It was seconded by Trustee Kettle, and passed with voting as follows: Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye. Session was entered at 9:40 PM. Mayor Rogers stated no business was conducted during the Executive Session.

ADDED:

Resolution to Address Grievance #17084 from Village of LeRoy Employee Union Local 200, SEIU, AFL-CIO: Trustee Yacuzzo made a motion to pay \$1,078 to Village employee, John Pasquale, the balance remaining in his HRA account, due to a prior verbal agreement and special circumstances with his insurance. It's to be disbursed as regular pay through payroll in two equal amounts over two pay periods. It was seconded by Trustee Bonacquisti, and passed with voting as follows: Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

ADJOURN:

There being no further business before the Board, **Trustee Bonacquisti made a motion to adjourn,** seconded by Trustee Kettle and passed unanimously. Meeting adjourned at 9:45pm.

Respectfully submitted,
Eileen Carmel, Clerk-Treasurer