

VILLAGE OF LEROY BOARD OF TRUSTEES

Minutes of Regular Meeting held on

September 20, 2023

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

PRESENT: Mayor Gregory Rogers Trustee William Kettle
Trustee Richard Tetrault WWTF Supt. Steven Carroll
Trustee Raymond Yacuzzo Clerk-Treasurer Eileen Carmel
Trustee James Bonacquisti

ABSENT: Chief of Police Gregory Kellogg DPW Supervisor Robert Lathan
Municipal Historian Lynne Belluscio

OTHERS PRESENT: Former Mayor Jim Delooze and Leslie Delooze, Jeff and Lori Steinbrenner, Sarah Farmer and guest

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

Sarah Farmer had not yet arrived, so Mayor Rogers postponed that portion of the meeting until later.

APPROVAL OF MINUTES:

A motion was made by Trustee Bonacquisti to approve the minutes of the Board of Trustees meeting on 8/16/23. It was seconded by Trustee Tetrault and passed unanimously.

CORRESPONDENCE:

Genesee County Grant Writing Program: The County has offered to fund \$5000 for grant writing purposes and the Mayor hoped that Sarah Farmer and her group would take advantage of it for the upcoming grant application process.

An email from Assemblyman Steve Hawley’s office said he’s looking for local community events to attend this fall. If the Village is given info regarding date, time, address, etc. for an event, the Village will pass on the info to the Assemblyman’s office.

DEPARTMENT CONSIDERATIONS:

DPW/STP:

- Supt. Carroll provided small stickers with a Village logo to the Mayor and Board members, saying that Sup. Lathan was looking into changing the stickers on the DPW trucks and these small versions were what they’d look like. The Board agreed they would look good and were ok with updating the vehicle stickers.
- Village engineers, CPL, have an issue with a proposed shop to be built at the Wastewater Treatment Plant on the foundation of a former greenhouse building. The plan was to buy the supplies for an aluminum building which would be constructed by Village employees, not a contractor. When it came time to put out the bid for supplies only, CPL engineers voiced liability concerns since they were not asked to engineer the building and so they will not authorize the plans, design, etc. from the manufacturer. Supt. Carroll asked the Board for permission to continue with the project. After a discussion of the condition of the foundation, the Board made the following resolution:

Trustee Yacuzzo made a motion for a Resolution to Proceed with Constructing a Metal Building at the Wastewater Treatment Plant, On An Existing Concrete Foundation, Without Engineering Approval or Sign-Off. It was seconded by Trustee Bonacquisti, and passed with voting as follows:

Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye

Clerk:

- After discussion, the next meetings will be at Village Hall:
 - 10/03/23 – Zoning Workshop, 6:30pm
 - 11/6/23 – Comprehensive Plan Workshop, 6:30pm
 - 10/18/23 – Regular Meeting, 7:00pm
 - 11/15/23 – Regular Meeting, 7:00pm

GUEST: Sarah Farmer (Farmer’s Creekside Tavern & Inn) – NYS Downtown Revitalization Initiative & NY Forward:

Trustee Kettle abstained from the following discussion.

Sarah Farmer explained how she recently met with Governor Hochul, Secretary of State, and several Mayors regarding upcoming state grant opportunities and tips for a successful application process. After a discussion with the Mayor and Board, focus could be on projects that include the Wiss corner property, Creekside promenade, municipal parking lots, street lighting, and residential units. The application deadline is September 29th.

Trustee Kettle returned to the meeting discussion.

OLD BUSINESS:

Fillmore St. and Adams St.: Mayor Rogers previously emailed all the Board members a copy of an October 10, 1988 resolution instituting a policy of “encouraging decent and affordable housing on undeveloped, dedicated streets in the Village.” He believes that the current situation with Fillmore and Adams could be more easily remedied without the word “dedicated” in the resolution, as those are not dedicated Village streets. The Board agreed they needed to rewrite the resolution.

Main and Mill Sidewalk: Before the meeting, the Board looked at the corner area and they are working on a plan to fix it.

WWTF – Change Order GC-02, Phase 2, STC Const. to extend contract time, no charge: After a short discussion with Supt. Carroll, **Trustee Yacuzzo made a motion for a Resolution to Approve Change Order, Phase 2, for STC Construction to extend the contract time with no charge.** It was seconded by Trustee Kettle, and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

WWTF – Phase 1, Wind-Sun Construction, Contractor Pay App #27: **Trustee Bonacquisti made a motion for a Resolution to Approve Phase 1 Wind-Sun Construction, Contractor Pay App #27 for \$59,736.00.** It was seconded by Trustee Yacuzzo, and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

WWTF – Phase 1, Kaplan-Schmidt, Contractor Pay App #13: **Trustee Yacuzzo made a motion for a Resolution to Approve Phase 1 Kaplan-Schmidt Electric, Contractor Pay App #13 for \$10,249.55.** It was seconded by Trustee Kettle, and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

WWTF – Phase 2, STC Const. Contractor Pay App #5: Trustee Bonacquisti made a motion for a Resolution to Approve Phase 2 STC Construction, Contractor Pay App #5 for \$115,543.75. It was seconded by Trustee Tetrault, and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

WWTF – Phase 2 Hewitt Young Electric, Contractor Pay App #6: Trustee Yacuzzo made a motion for a Resolution to Approve Phase 2 Hewitt Young Electrical, Contractor Pay App #6 for \$26,600.00. It was seconded by Trustee Bonacquisti, and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

Falcone Funeral Home:

With additional information from Vern Falcone, owner of Falcone’s Funeral Home, the following 2nd Amended Resolution was presented:

**2nd AMENDED RESOLUTION TO ESTABLISH SEWER ACCOUNT
AND CHARGE BACK MINIMUM AMOUNT
FALCONE’S FUNERAL HOME, 8700 LAKE ST. RD.**

MOTION BY: Trustee Yacuzzo:

WHEREAS, in 2012 Vern Falcone approached the Village, requesting permission to tap into the Village’s sewer line for his property at 8700 Lake St. Rd., and

WHEREAS, on 6/19/2012, the request was heard by the Sewer Board, at which time the Board asked Director Lathan of the Sewer Plant to review the drawings and asked the Village Attorney to update an existing contract dated 12/14/1981 with The Fathers of Our Lady of Mercy, Inc. which owned 8692 Lake St. Rd. and detailed connecting to the Village system via an existing trunk line. The updated contract would include sewer service for Falcone’s, LeRoy Manor (8678 Lake St. Rd.), and Donald Antinore (8692 Lake St. Rd.), as all would be on the same line, and

WHEREAS, on 7/31/2012, the Sewer Board offered a motion “to allow Mr. Falcone to go ahead with his construction but he will not be able to tap into the sewer line until the Village has a contract in hand,” and, later, the Village Board accepted the minutes for that Sewer Board meeting, noting the stipulations to be fulfilled, and

WHEREAS, at a later Sewer Board meeting, a condition to the Falcone account would be an escrow account set up for an amount 2 or 3 times their quarterly sewer bill that would cover any delinquent charges, and

WHEREAS, the contract was not updated and a sewer account was not created for Falcone’s Funeral Home but the LeRoy Manor’s sewer line was tapped in 2013 and sewer services have been in use with no payment to the Village up to the present, NOW THEREFORE

BE IT RESOLVED that the Board of Trustees hereby authorizes the establishment of a sewer account for Falcone’s Funeral Home and invoice for minimum charges from 2013 to present in the amount of **\$4,732.00.**

SECONDED BY: Trustee Bonacquisti and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

Currently, unpaid sewer charges for Village customers are relieved onto the Village property tax. There has been a question regarding how to recoup unpaid sewer charges for customers outside the Village. Mayor Rogers mentioned he has discussed the situation with the Town Supervisor.

ADDED:

Mayor Rogers said that Joseph Alloco of Bob Johnson Chevrolet has contacted him, questioning whether he should have to pay the engineering invoice the Village sent to him. The Mayor pointed to the Resolution the Board adopted on 5/17/23, which stated the Village would dedicate the proposed sewer main when a list of eight items were completed, including “7. The Owner will be responsible for all legal and engineering expenses related to the Town and Village of LeRoy.” The Board agreed that Bob Johnson Chevrolet must pay the engineering bills.

Mr. Alloco has also requested that Bob Johnson Chevrolet be compensated in the event other property owners along the sewer main wish to hook into the system. Currently, the Village charges property owners \$3,000 for a new tap into the system. Mayor Rogers suggested a 50/50 split. Trustee Kettle said he was fine with it as long as Village costs are covered. No formal vote conducted.

NEW BUSINESS:

**RESOLUTION TO DECLARE POLICE DEPT EQUIPMENT SURPLUS
FOR PURPOSE OF DISPOSAL AND TO TRANSFER FUNDS**

MOTION BY: Trustee Yacuzzo

WHEREAS, The LeRoy Police Department has declared the equipment listed below surplus; and **WHEREAS,** the Village of LeRoy requires a surplus declaration of property to be made prior to disposal or sale of equipment; and

WHEREAS, the Police Department desires to use the proceeds from selling the equipment listed below in order to offset the purchase of future equipment needs by placing the proceeds into A895 Police Equipment Reserve;

NOW THEREFORE, BE IT RESOLVED, the LeRoy Village Board hereby authorizes the following declared as surplus for the purpose of disposal:

- 2016 Dodge Charger Police, VIN# 2C3CDXKT9GH206297
- 2016 Dodge Charger Police, VIN# 2C3CDXKT7GH206301
- 2016 Dodge Charger Police, VIN# 2C3CDXKTXGH20631
- 2016 Dodge Charger Police, VIN# 2C3CDXKT8GH348270
- 2019 Dodge Charger Police, VIN# 2C3CDXKT6KH647264
- 2018 Dodge Charger Police, VIN# 2C3CDXKT1JH197926
- 2015 Ford Explorer Police, VIN# 1FM5K8ARXFG33260

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the LeRoy Village Board of Trustees does hereby authorize the transfer of the proceeds from the sale of said equipment to A895 Police Equipment Reserve.

SECONDED BY: Trustee Bonacquisti and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

Appointment Part-Time Police Officer: On Chief Kellogg’s recommendation, Mayor Rogers appointed Krysta Tomaszewski to the position of part-time Police Officer. **A motion was made by Trustee Bonacquisti to ratify the Mayor’s appointment of Krysta Tomaszewski as part-time Police Officer, pending background and Civil Service approval, at a pay rate of \$25 /hour.** It was seconded by Trustee Kettle, and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

CITIZEN PARTICIPATION:

- Former Mayor Jim Delooze had 3 concerns:

- During his administration, the Village started the Memorial Tree program whereby when Village trees were replaced on Main St., people could pay \$500 for a memorial plaque to be installed in the mulched area beneath each tree. Over the years, the mulch has covered over many plaques, including the one for his wife's parents just right of the former Bank of LeRoy. He's asking the Board to honor the commitment and pull the plaque up so it's visible. Mayor Rogers said he'd speak to DPW Sup. Lathan.
- The Oatka Creek is one of the Village's biggest assets. Is there some way to get rid of the weeds? Mayor Rogers said they tried to get rid of the cattails but the DEC had a problem with it. Trustee Yacuzzo said it has to do with the nitrogen and phosphate load. The Mayor stated they planned to lower the water which would hopefully starve the roots and kill off the weeds. He's also plans to bring back ice skating on the creek this winter.
- The traffic light at Main and North Sts. takes too long to cycle through. Mayor Rogers said that some ground work in the area had caused a broken loop some time back and had never been fixed. He'll contact DOT and see if it can't get fixed.

OFFICIAL CONSIDERATIONS:

Trustee Bonacquisti: He has an issue with people not taking their yard sale signs down from the electrical poles after the sale is done.

Trustee Kettle: Nothing.

Trustee Tetrault: He believes the skating rink should go in the NYS grant and likes the promenade plan, particularly if there's an access point farther down. He's also noticed a lot of dead trees in the Village and wondered if we shouldn't catalog them or have a roster.

Trustee Yacuzzo: Nothing.

Mayor Rogers: He thanked everyone for coming to the meeting.

AUTHORIZATION TO PAY BILLS:

Trustee Bonacquisti made a Motion to Pay Bills, retroactive to 8/22/23. It was seconded by Trustee Yacuzzo and passed unanimously. Payment is as follows:

General Fund: Auto payments, wire transfers, and check numbers 26274-26381 totaling \$636,846.92
 Cap #2 Fund: Check numbers 1202-1203, totaling \$87,420.90

ADJOURN:

There being no further business before the Board, **Trustee Yacuzzo made a motion to adjourn**, seconded by Trustee Bonacquisti and passed unanimously. Meeting adjourned at 8:10pm.

Respectfully submitted,
 Eileen Carmel, Clerk-Treasurer