

VILLAGE OF LEROY BOARD OF TRUSTEES

Minutes of Regular Meeting held on

January 18, 2023

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

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

Absent: WWTF Superintendent Steven Carroll

Others Present: Lynne Belluscio, Don Antinore, Jonathan Reed, Jeff Smith

Mayor Rogers called the meeting to order at 7:00 pm, followed by the Pledge to the Flag. He then asked for a moment of silence at the passing of John Driscoll, beloved local educator and Chief Kellogg's Uncle.

Trustee Kettle excused himself from the meeting at this point.

PUBLIC HEARING: Restore NY Funding Application and Property Assessment List:
A motion was made by Trustee Yacuzzo to open the public hearing regarding the Restore NY Funding Application and Property Assessment List. It was seconded by Trustee Tetrault and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

Mayor Rogers stated the Restore NY Funding Application was basically for repurposing and restoring the second floors of four lower Main Street buildings. It started with a Letter of Intent and would require a \$500 application fee. He felt that the grant administration should be proportionally shared by those who receive the grant money. He doesn't believe it should be paid through taxpayer money and it would be further discussed at a later date.

At this point, Jeff Smith, representative of the LeRoy Business Council's FRESH Committee and grant writer, arrived and addressed the Board. After the state received the Letter of Intent, it invited the Village to submit a full application for funding, which they were working on preparing. It involves private developers, requires information of what each business is doing, and the grant pays square footage dollar amounts. Trustee Kettle's properties at 10-12 Main St. were originally part of the Letter of Intent but Mr. Smith stated those properties aren't ready yet, but may be added in a later round of the grant. He brought a copy of the Property Assessment List, which lists three properties as part of the Revitalization of LeRoy Downtown Historic Buildings Project, (15-17, 20, and 24 Main St.), and will be published for three days in a row in the Batavia Daily News as part of the application process.

There being no further discussion, **a motion was made by Trustee Yacuzzo to close the public hearing.** It was seconded by Trustee Tetrault and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

Trustee Kettle returned to the meeting at this point.

APPROVAL OF MINUTES:

A motion was made by Trustee Bonacquisti to approve the minutes of the Board of Trustees meetings on 12/14/22 and 1/9/23. It was seconded by Trustee Tetrault and passed unanimously.

COMMUNICATIONS:

Robert Dawley, Trees: Mr. Dawley sent a letter and photos to the Board of two trees which concerned him in front of his home on South St. DPW Sup. Lathan said they checks Village trees and they have to meet a certain standard. Sup. Lathan said Mr. Dawley’s trees were looked at five years ago and they weren’t an issue at that time. He will check them again or have them assessed by someone else.

Festival of Balloons: A Village resident noticed a Facebook post that Dansville would no longer hold the Festival of Balloons in their town and asked if the Board would be interested in the Village doing the festival. Trustee Tetrault mentioned the Village has no property to hold such an event. It would be better in Batavia, where they have the room for it. It was also mentioned that the reasons Dansville stated were the financial environment and lack of volunteers, which are issues everyone is facing right now. The Board didn’t believe it would be in the best interests of the Village at this time.

DEPARTMENT CONSIDERATIONS:

LPD: Chief Kellogg stated they’ve been busy with recruitment at the police academies.

WWTF: Mayor Rogers said he spoke with Supt. Carroll , who is working through issues at the plant with the construction project. He’s not happy about the engineer and they’re contacting CPL to try to get a new one. They’re also looking into the Village doing some parts of the construction project to save on costs.

Clerk: Clerk-Treasurer Carmel said the office is getting ready to send sewer bills the first week of February.

DPW: All is good.

OLD BUSINESS:

Trustee Kettle excused himself from the meeting at this time.

RESOLUTION AUTHORIZING VILLAGE OF LEROY TO SUBMIT GRANT APPLICATION TO RESTORE NEW YORK COMMUNITIES INITIATIVE ROUND 7 (“RESTORE NY”) GRANT FUNDING AND AUTHORIZE MAYOR SIGNATURE ON GRANT-RELATED DOCUMENTS FOR REHABILITATION AND INFILL HOUSING FOR 10-12 Main Street, 15-17 Main Street and 20/24 Main Street (adjoining buildings)

MOTION BY: Trustee Yacuzzo

WHEREAS: Gabe Dean intends to rehabilitate a vacant, blighted mixed-use building by constructing second floor apartment units located at 15-17 Main Street, LeRoy, New York; and

WHEREAS: William Kettle, building owner, intends to rehabilitate a vacant, blighted second floor space into apartment units located at 10-12 Main Street, LeRoy, New York; and

WHEREAS: Wedge 24, LP intends to rehabilitate adjoining vacant buildings located at 20 Main Street and 24 Main Street, LeRoy, New York, into a multi-use event space with 5 hotel suites, 1st floor retail space and a bakery market, and second floor space into two-bedroom apartments and a third floor event office; and

WHEREAS: The Restore NY program is administered by NYS Empire State Development (ESD) and provides municipalities with financial assistance for the revitalization of commercial and residential properties and encourages community development and neighborhood growth through the elimination and redevelopment of blighted and vacant structures; and

WHEREAS: The projects listed above are consistent with the Village's Master Plan and Genesee County's effort to revitalize commercial and residential properties that make up the Village's downtown; and

WHEREAS: The proposed financing is appropriate for these projects; and

WHEREAS: The proposed projects facilitate effective and efficient use of existing and future public resources so as to promote both economic development and increase the supply of safe and adequate housing opportunities in the Village; and

WHEREAS: the Village of LeRoy supports the submittal of an application under the Restore NY program of up to \$2 million for the above listed properties, with a 10% minimum match to be provided by the property owners; and

WHEREAS: The proposed projects are eligible activities under the Restore NY program and the Village of LeRoy is an eligible entity to apply for and receive Restore NY funds: therefore, be it

RESOLVED: That the Village of LeRoy authorizes the submittal of said grant application with the required \$500.00 application fee to secure funding in the amount of up to \$2 million under the Restore NY program and authorizes the Village Mayor to sign any and all grant-related applications and other paperwork.

SECONDED BY: Trustee Bonacquisti

VOTE

AYES: Trustee Tetrault, Trustee Yacuzzo, Trustee Bonacquisti, Mayor Rogers

NOES: 0

ABSENT: Trustee Kettle

ABSTAINED:0

DATE: 1/18/2023

Trustee Kettle returned to the meeting at this time.

Wolcott St. Reconstruction Project – Change Order #3: – Change order was due to a breakdown of final quantities for the project. **Trustee Bonacquisti made a motion for a Resolution to Approve Wolcott St. Reconstruction Change Order #3 for a project decrease of \$75,957.75.** 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.

Wolcott St. Reconstruction Project – FINAL Contractor Pay App: **Trustee Kettle made a motion for a Resolution to Authorize Pay App #8 to Villager Construction for \$57,721.06.** 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 Project Phase 1 Contractor Pay App: **Trustee Yacuzzo made a motion for a Resolution to Authorize payment of Pay App. #19 to Wind-Sun Construction for \$149,117.23.** 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.

Procurement Card Policy: **Trustee Yacuzzo made a motion for a Resolution to Adopt the Village of LeRoy Procurement Card Policy.** 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.

LeRoy Town and Country Garden Club: Last year, after many years of volunteering time, effort, and money to provide Main Street and creekside garden beds with gorgeous plants and flowers for the Village to enjoy, the club requested funding support. The Village Board approved, and the club members outdid themselves this year. They provided a report of the club’s activities and thanked the Village Board for their support. The Mayor and Board thanked the club for its efforts toward our beautiful Village.

Public Hearing – Local Law #1 of 2023: Genesee County Planning Board and LeRoy Planning Board both gave recommendations regarding language in the Village Code pertaining to Bed and Breakfast establishments. **Trustee Yacuzzo made a motion for a Resolution to Schedule a Public Hearing on February 15, 2023 at 7:00 pm at Village Hall, to discuss amending Village Law, Chapter 215.** 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.

NEW BUSINESS:

Chances Are Teck Solutions, Strip Lighting: Jonathan Reed gave a demonstration of the strip lighting solutions his company provides and showed photos of Empire Smoke Shop in LeRoy and Ralph and Rosie’s in Bergen, two businesses he has done similar lighting for. He prepared a price quote to light up Village Hall for \$559.16, installed. The Mayor asked for a motion for a Resolution to go forward with the project, but there wasn’t one forthcoming. Trustee Tetrault said Village Hall was an old building and lighting it up like that wouldn’t look good. Trustee Kettle thought Ralph and Rosie’s looked great and was not opposed to talking to the residents of his own building. He thought it was better talking to businesses rather than using taxpayer money. The Mayor stated that though they had no motion here, they saw no problem with this being done downtown and he understood Mr. Reed’s next step was to go to the Planning Board. They wished him well.

Cyber Liability Insurance Application: **Trustee Bonacquisti made a motion for a Resolution to Enter into an Agreement with Tokiomarine HCC for NetGuard Plus Cyber Liability through Tompkins Insurance.** 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.

Zoning Board of Appeals Resignation: The Mayor stated that Joe Laurie had resigned from the Board. Resident Chad Alquist showed an interest and he talked with him. Mayor Rogers appointed Bob Taylor as a full Board member and Chad Alquist as an alternate member. **Trustee Yacuzzo made a motion for a Resolution to ratify the Mayor’s appointment of Bob Taylor to the Zoning Board of Appeals as a regular member and Chad Alquist as an alternate member of the Zoning Board of Appeals.** 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.

Appoint Part-Time Police Officers: Both candidates are currently in the Police Academy, Candler graduates this summer and Riley graduates in 2024. On the recommendation of Chief Kellogg, Mayor Rogers appointed Tyler M. Candler and William E. Riley to the positions of Part-Time Police Officers. **Trustee Yacuzzo made a motion for a Resolution to ratify the Mayor’s appointment of Tyler M. Candler and William E. Riley to the positions of Part-Time Police Officers, contingent upon Civil Service approval and background checks, at a rate of \$21.00/hr.** 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.

Surplus Police Vehicle: Chief Kellogg requested a police vehicle be surplus and auctioned as it was no longer needed. **Trustee Yacuzzo made a motion for a Resolution to Declare Surplus 2016 Ford Explorer Police Vehicle, VIN #1FM5K8AT4GGB64758.** 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.

CITIZEN PARTICIPATION:

- Town resident Don Antinore thanked everyone who had a hand in making sure drivers slowed down on Lake St.
- Lynne Belluscio – asked the Board if they felt her plan to create a walking tour of Main Street was ok as her first project. The Mayor said it was an outstanding idea and she should get a proposal together and the Board agreed. Mr. Antinore liked the idea.

OFFICIAL CONSIDERATIONS:

Trustee Kettle: Condolences to Chief Kellogg on the passing of his uncle, John Driscoll. He was an outstanding educator and friend.

Trustee Bonacquisti: Said he’d miss seeing John walking out and about and talking with him.

Trustee Tetrault: All’s quiet.

Trustee Yacuzzo: Everything is good.

Mayor Rogers: Said he was going to mention in an upcoming Mayor’s column in the Pennysaver that for a long time now, he’s wanted to update the Village’s Comprehensive Plan and wanted to schedule a workshop meeting for February 6, 2023 at 6:30pm to create the Mission Statement and Vision for the plan. He will direct residents to submit comments regarding the Plan on the Village’s website www.VillageOfLeRoyNY.org [Click on the “Contact Us” link at the top right corner of the home page and fill out the form.]

AUTHORIZATION TO PAY BILLS:

A motion to pay bills retroactive to 1/6/23 was offered by Trustee Bonacquisti and seconded by Trustee Yacuzzo and passed unanimously. Payment is as follows:

General Fund – Auto pays and check numbers 25704-25745, totaling \$273,110.80

EXECUTIVE SESSION:

Trustee Kettle made a motion to go into Executive Session for the purpose of discussing a personnel matter. It was seconded by Trustee Bonacquisti, and passed with voting as follows: Trustee

Tetrault – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye. Mayor Rogers asked that Clerk-Treasurer Carmel attend, as well. Session was entered at 7:57 PM.

RETURN TO REGULAR SESSION:

Trustee Kettle made a motion to Return to Regular Session. It was seconded by Trustee Bonacquisti, and passed with voting as follows: Trustee Tetrault – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye. Session was entered at 8:18 PM. Mayor Rogers stated no business was conducted during the Executive Session.

ADJOURN:

There being no further business before the Board, **Trustee Bonacquisti made a motion to adjourn**, seconded by Trustee Tetrault and passed unanimously. Meeting adjourned at 8:19pm.

Respectfully submitted,
Eileen Carmel, Clerk-Treasurer