

## VILLAGE OF LEROY BOARD OF TRUSTEES

Minutes of Regular Meeting held on

**March 16, 2022**

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

**PRESENT:** Mayor Gregory Rogers; Trustees James Bonacquisti, Raymond Yacuzzo, and Richard Tetrault; Chief of Police Gregory Kellogg; Clerk-Treasurer Eileen Carmel; residents Nancy Crocker, Kenny Brownell

Trustee Bill Kettle, WWTF Supt. Steve Carroll, and DPW Sup. Bob Lathan were excused.

Mayor Rogers called the meeting to order at 7:02 pm followed by the Pledge to the Flag.

**APPROVAL OF MINUTES:** A motion was offered by Trustee Bonacquisti to approve the minutes of the Board of Trustees meeting February 23, 2022. The motion was seconded by Trustee Tetrault and passed with voting as follows: Trustees Tetrault, Yacuzzo, Bonacquisti, and Mayor Rogers – all Aye.

### **COMMUNICATIONS:**

Announcement – LeRoy Farmer’s Market opens Saturday, June 11 in Trigon Park.

### **DEPARTMENT CONSIDERATIONS:**

#### LeRoy Police Dept.:

- Department performance evaluations were completed and Chief Kellogg said he got good feedback.

#### Clerk-Treasurer:

- Clerk-Treasurer Carmel gave the election results of the Village Elections for two Trustee positions whereby Trustees Kettle and Tetrault won re-elections. All congratulated Trustee Tetrault.
- Reminder that the Sewer Board would be meeting again at the end of the month.
- Confirming the Organizational Meeting on April 4<sup>th</sup> and regular meeting on April 20<sup>th</sup>. Trustee Yacuzzo stated he’d be out of town for both meetings. Mayor Rogers will be out of town for the April 20<sup>th</sup> meeting. Trustee Tetrault would be out of town on April 4<sup>th</sup> but would be back for the April 20<sup>th</sup> meeting. Mayor Rogers stated that Trustee Kettle could attend both meetings and vote via Zoom.
- Mayor Rogers directed that public meetings be set on May 2<sup>nd</sup> for the 143 Lake St. and 13 Lake St. properties. They will do the SEQR for 143 Lake St. and Mayor will contact Village engineering firm, CPL, to run that portion of the meeting.

### **OLD BUSINESS:**

Wolcott St. Reconstruction Project – Trustee Yacuzzo made a motion for a **Resolution to Authorize Pay Application #6 to Villager Construction for \$57,293.10**. It was seconded by Trustee Bonacquisti and passed with voting as follows: Trustees Tetrault, Yacuzzo, Bonacquisti, and Mayor Rogers – all Aye.

Trustee Yacuzzo heard there was a recent drainage problem on the project. Mayor Rogers stated that during the reconstruction, they decommissioned an old line and they didn’t properly cap it or capped it

in front of someone's house and it backed up into the basement. We believe it was a CPL error and they should pay for it.

WWTF Project – Trustee Yacuzzo made a motion for a **Resolution to Authorize Pay Application #7 to Kaplan-Schmidt Electric, Inc. for \$86,863.25**. It was seconded by Trustee Tetrault and passed with voting as follows: Trustees Tetrault, Yacuzzo, Bonacquisti, and Mayor Rogers – all Aye.

**NEW BUSINESS:**

Resolution – Trustee Bonacquisti made a motion for a **Resolution to Approve and Authorize Signature To Third Party Custodian Agreement (Collateralized Municipal Deposits) w/Tompkins Bank and Bank of NY Mellon**. It was seconded by Trustee Tetrault and passed with voting as follows: Trustees Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye. *A copy of the agreement is attached.*

**RESOLUTION TO APPROVE AND AUTHORIZE SIGNATURE TO THIRD PARTY CUSTODIAN AGREEMENT (Collateralized Municipal Deposits)**

MOTION BY Trustee Bonaquisti

WHEREAS, the Village of LeRoy desires to continue to maintain public deposits with Tompkins Community Bank (formerly known as Tompkins Trust Company); and

WHEREAS, Tompkins Community Bank desires to obtain such deposits and to provide security therefore as required by the General Municipal Law, Banking Law and other applicable statutes; and

WHEREAS, The Bank of New York Mellon agrees to provide safekeeping services and to hold any securities pledged by Tompkins Community Bank in a custodial account established for the benefit of the Village of LeRoy,

NOW THEREFORE, BE IT RESOLVED the Board of Trustees hereby approve and authorize signature to the Third Party Custodian Agreement (Collateralized Municipal Agreement).

SECONDED BY Trustee Tetrault

On a call of votes: Trustee Tetrault - Aye, Trustee Yacuzzo - Aye, Mayor Rogers – Aye, and Trustee Bonacquisti – Aye.

Motion carried.

Resolution – Trustee Bonacquisti made a motion for a **Resolution to Commit to National Grid's Outdoor Lighting LED Conversion Program**. It was seconded by Trustee Tetrault and passed with voting as follows: Trustees Tetrault, Yacuzzo, Bonacquisti, and Mayor Rogers – all Aye.

**RESOLUTION TO COMMIT TO NATIONAL GRID'S  
OUTDOOR LIGHTING LED CONVERSION PROGRAM**

MOTION BY: Trustee Bonacquisti

WHEREAS, 550 old style streetlights are located within the Village of LeRoy and the Village wishes to upgrade the streetlights to LED for better lighting quality, energy efficiency, and cost savings; and

WHEREAS, National Grid has offered the Village an incentive with its Outdoor Lighting LED Conversion Program at an estimated cost not to exceed \$30,000.00;

NOW THEREFORE, BE IT RESOLVED the Board of Trustees hereby commit to National Grid's Outdoor Lighting LED Conversion Plan at a cost not to exceed \$30,000.

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

Resolution – Trustee Yacuzzo opened discussion regarding an Agreement Between Genesee County Planning Board and Village of LeRoy stating that the reason Villages and Towns had to go to their respective County Planning Boards for matters of land use action was because the state legislature thought the actions would affect neighboring communities.

This agreement is intended to eliminate the need for the County to review certain land use actions that don't impact neighboring communities or counties.

Trustee Yacuzzo made a motion for a **Resolution to Approve and Adopt Agreement Between the Genesee County Planning Board and the Village of LeRoy**. It was seconded by Trustee Bonacquisti and passed with voting as follows: Trustees Tetrault, Yacuzzo, Bonacquisti, and Mayor Rogers – all Aye. *A copy of the agreement is attached.*

RESOLUTION TO APPROVE AND ADOPT AGREEMENT BETWEEN THE GENESEE COUNTY PLANNING BOARD AND THE VILLAGE OF LEROY

Agreement Exempting Certain Minor Land Use Actions from Genesee County Planning Board Review

MOTION BY Trustee Yacuzzo

WHEREAS, the Genesee County Planning Board is authorized to voluntarily enter into agreements with Cities, Towns, and Villages regarding certain proposed land use actions that are of local, rather than inter-community or County-wide concern, and therefore are not subject to referral to the Genesee County Planning Board as would otherwise be required; and

WHEREAS, the Village of LeRoy wishes to enter into such agreement;

NOW THEREFORE, BE IT RESOLVED the Board of Trustees hereby approve and adopt the Agreement between the Genesee County Planning Board and the Village of LeRoy, Agreement Exempting Certain Minor Land Use Actions from Genesee County Planning Board Review.

SECONDED BY Trustee Bonacquisti

On a call of votes: Trustee Tetrault - Aye, Trustee Yacuzzo - Aye, Mayor Rogers – Aye, and Trustee Bonacquisti – Aye.

Motion carried.

Festival Application – Trustee Bonacquisti made a motion to approve the Festival Application submitted by the **Town and Country Garden Club for a Plant Sale in Trigon Park on 5/21/2022**, pending all signatures. The motion was seconded by Trustee Tetrault and passed with voting as follows: Trustees Tetrault, Yacuzzo, Bonacquisti, and Mayor Rogers – all Aye.

Festival Application – Trustee Bonacquisti made a motion to approve the Festival Application submitted by the **Oatka Festival Committee for the Oatka Festival on 7/16 and 7/17/2022**, all signatures have been secured. The motion was seconded by Trustee Yacuzzo and passed with voting as follows: Trustees Tetrault, Yacuzzo, Bonacquisti, and Mayor Rogers – all Aye.

**Added to New Business:**

Dogs in the Village Code – Trustee Tetrault began a discussion regarding a new resident who asked Code Enforcement about allowing him to own a third dog in the Village if it's a service animal. In the end, it was decided not to change the code that it should be two dogs and that's it.

**CITIZEN PARTICIPATION:**

Mayor Rogers noticed a young man in attendance. Kenny Brownell introduced himself as a LeRoy High School student attending the meeting for school credit. Board members welcomed him and remembered his grandfather.

Mayor Rogers also welcomed Nancy Crocker back to meetings.

**OFFICIAL CONSIDERATION:**

Trustee Bonacquisti

- The Town Planning Board had a public hearing regarding Eric Biscaro's proposed development at 143 Lake St. but didn't have enough members for a quorum.
  - Do we need Planning Board approval for the project? Trustee Yacuzzo stated it wasn't necessary as the Planning Board is advisory only. However, Mayor Rogers stated he'd prefer it if we did have the Planning Board's approval.
  - Trustee Yacuzzo made a motion for a **Resolution for the Mayor to Appoint an Alternate to the Town Planning Board**. It was seconded by Trustee Bonacquisti and passed with voting as follows: Trustees Bonacquisti, Tetrault, Yacuzzo, and Mayor Rogers – all Aye.

Trustee Tetrault

- Stated he would be going on vacation to Florida to visit family.

Trustee Yacuzzo

- Nothing to share.

Mayor Rogers

- Expressed how glad he was to have Trustee Tetrault and Trustee Kettle voted back in and felt they had a very experienced Board going forward.

**EXECUTIVE SESSION:**

A motion to go into executive session for personnel reasons was made by Trustee Bonacquisti and seconded by Trustee Yacuzzo and passed with voting as follows: Trustees Bonacquisti, Tetrault,

Yacuzzo, and Mayor Rogers – all Aye. Mayor Rogers asked that Chief Kellogg and Clerk-Treasurer Carmel attend this session. Session entered at 7:30 pm.

**REGULAR SESSION:**

Trustee Bonacquisti offered a motion to go back into regular session, seconded by Trustee Yacuzzo and passed with voting as follows: Trustees Bonacquisti, Tetrault, Yacuzzo, and Mayor Rogers – all Aye. Session entered at 7:54pm. No action taken during executive session.

**AUTHORIZATION TO PAY BILLS:**

A motion to pay bills was offered by Trustee Yacuzzo and seconded by Trustee Tetrault and passed unanimously. Payment is as follows:

General Fund – Auto pays and check numbers 24336, 24338, 24910-24974, totaling \$201,769.86  
Cap #2 Fund – Check numbers 1147-1148, totaling \$87,151.25

There being no further business before the Board, a motion was offered by Trustee Bonacquisti to adjourn, seconded by Trustee Yacuzzo and passed unanimously.

Meeting adjourned at 7:55pm.

Respectfully submitted,  
Eileen Carmel, Clerk-Treasurer