

VILLAGE OF LEROY BOARD OF TRUSTEES
Minutes of Annual Organizational Meeting held on
April 4, 2022
Village Hall, 3 West Main St., Le Roy, NY

PRESENT: Mayor Gregory Rogers; Trustee James Bonacquisti, and, on Zoom, Trustee William Kettle; Chief of Police Gregory Kellogg; WWTF Supt. Steven Carroll; DPW Sup. Robert Lathan; Clerk-Treasurer Eileen Carmel; Head of the Sewer Board, Gerry Aron. Guests Eric Weiss and Nick Bayer of CPL arrived after the start of the meeting.

Excused: Trustees Raymond Yacuzzo and Richard Tetrault

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 March 16, 2022. The motion was seconded by Trustee Kettle and passed with voting as follows: Trustees Bonacquisti and Kettle, and Mayor Rogers – all Aye.

A motion was offered by Trustee Bonacquisti to accept the minutes of the Sewer Board meeting March 29, 2022. The motion was seconded by Trustee Kettle and passed with voting as follows: Trustees Bonacquisti and Kettle, and Mayor Rogers – all Aye.

Trustee Kettle had a question regarding the Sewer Board minutes. He asked about one of the possible scenarios, discarding the 3000 gal. minimum on sewer billing, and how does that make money?

Mayor Rogers stated that the current WWTF project is \$9 million, which includes a \$2.25 million grant. The Village received a state grant for \$1 million for the Ultraviolet process. If we don't upgrade to UV, we have to give back the grant. But we also can't double stack grants. If we increase the project to \$12 million, include the digesters and UV, we'll get savings in sludge hauling.

Sewer Board member, Chris Kemp, did an analysis that shows in 20 years we'll be in a good place. He suggested a raise in the minimum sewer and usage charges and possibly eliminating the 3000 gal. minimum usage. If we do this, if there's some growth in the Village, and if we do a sewer audit of multiple unit housing, it'll get us to 2045.

COMMUNICATIONS:

Letter regarding a memorial bench for former LPD dispatcher, Marie Gannon – **A motion was offered by Trustee Bonacquisti to approve the placement of a memorial bench and plaque in front of Village Hall, purchased by Marie Gannon's family.** The motion was seconded by Trustee Kettle and passed with voting as follows: Trustees Bonacquisti and Kettle, and Mayor Rogers – all Aye.

DEPARTMENT CONSIDERATIONS:

LeRoy Police Dept.:

- Chief Kellogg stated the department just completed school safety training for school staff which included Fire and EMS too.
- The dept. moved and placed (with help from the DPW) quite a bit of free used office furniture to replace and supplement old dept. furniture.
- Trustee Bonacquisti stated he liked the fact that the Police Blotter was being published in the local news once again. When asked by Trustee Kettle if it cost to publish, Chief Kellogg said no.

- The dept. used to email a Sex Offender List newsletter but has now transitioned to “Offender Watch,” a nation-wide sex offender registry network. Residents can use <http://www.communitynotification.com/ny/leroy> to search for sex offenders residing in their neighborhood and subscribe to receive email alerts from the LPD.

WWTF:

- Supt. Carroll stated that all is well. They are digging water lines, crossing the road, and finding a lot of rock.

DPW:

- Sup. Lathan said things were good with his dept. They were looking at sprucing up Village Hall with paint and new flooring. He got an estimate from Will’s Carpet in Batavia and was surprised to find Affordable Floor Covering permanently closed. Mayor Rogers stated he needed to get more estimates.

Clerk-Treasurer:

- After Mayor Rogers questioned the next meeting date, Clerk-Treasurer Carmel stated that they had scheduled the next meeting for April 20th but she’d since learned that because the next meeting concerned the Budget, it was a state law that it had to take place before April 15th, thus the next meeting would be on April 13th at 7pm. The Mayor will not be in town for it but Trustees Tetrault and Bonacquisti would be in attendance, as would Trustee Kettle via Zoom. Trustee Bonacquisti will conduct the meeting.

OLD BUSINESS:

WWTF Project – Trustee Bonacquisti made a motion for a **Resolution to Authorize Pay Application #8 to Kaplan-Schmidt Electric, Inc. for \$2,850.00**. The motion was seconded by Trustee Kettle and passed with voting as follows: Trustees Bonacquisti and Kettle, and Mayor Rogers – all Aye.

WWTF Project – Trustee Bonacquisti made a motion for a **Resolution to Authorize Pay Application #9 to Wind-Sun Construction for \$221,866.56**. The motion was seconded by Trustee Kettle and passed with voting as follows: Trustees Bonacquisti and Kettle, and Mayor Rogers – all Aye.

NEW BUSINESS:

Public Hearing – Trustee Bonacquisti made a motion for a **Resolution to Hold a Public Hearing for FY 2022-2023 Tentative Village Budget on April 13, 2022, 7pm, Village Hall**. The motion was seconded by Trustee Kettle and on a call of votes: Trustees Bonacquisti – Aye, Trustee Kettle – Aye, and Mayor Rogers – Aye. Motion carried.

Hitching Posts – Sup. Lathan stated there are several antique hitching posts in the terrace area between sidewalks and streets around the village. It came to his attention from former Police Chief Chris Hayward, whose family is selling their mother’s home and has such a hitching post, that these may be owned by the Village and should be protected in some way. Someone new to the Village, purchasing a property, may not know and sell one of these.

Trustee Bonacquisti made a motion for a **Resolution that Antique Hitching Posts, originally located between sidewalks and streets in the Village of LeRoy, may not be removed without Village approval**. The motion was seconded by Trustee Kettle and passed with voting as follows: Trustees Bonacquisti and Kettle, and Mayor Rogers – all Aye.

Festival Applications – Festival applications were submitted by LeRoy Little League for their annual season-opening parade on Saturday, April 23 and for a Chicken BBQ fund-raiser on Saturday, May 21, as well as by the LeRoy Historical Society for a Chicken BBQ on Sunday, April 24. All proper signatures were secured. **Trustee Bonacquisti made a motion to approve all festival applications, fees waived.** The motion was seconded by Trustee Kettle and passed with voting as follows: Trustees Bonacquisti and Kettle, and Mayor Rogers – all Aye.

CITIZEN PARTICIPATION:

Gerry Aron stated that, in addition to the hitching posts in the Village, there are also antique stone horse mounting steps located in the terrace areas.

Trustee Bonacquisti made a motion for a **Resolution to amend his previous motion to state: Antique Hitching Posts, Steps, and other concrete and stone items originally located between sidewalks and streets in the Village of LeRoy, may not be removed without Village approval.** The motion was seconded by Trustee Kettle and passed with voting as follows: Trustees Bonacquisti and Kettle, and Mayor Rogers – all Aye.

Added:

Presentation – Eric Weiss of the Village’s engineering firm, CPL, spoke to the Board regarding the WWTF project and the upcoming Public Hearing regarding the proposed housing development at 143 Lake St.

He stated he had new figures for the WWTF project. The latest plan is for the UV disinfection system to be incorporated into the whole project, rather than as a separate project. According to EFC (Environmental Facilities Corp.), this is fine, however, because the Village obtained the \$1 million grant, that can’t be used at the same time as the first grant. However, once the first funding is used up, then that can be used.

He discussed possible options but recommended that the Village increase the project total to \$10.5 million to include the UV system, which after all funding resources are factored in, would have a debt service annual cost of \$241,667. This wouldn’t come due until 2023-2024. It would require amending the SEQR and the bond resolution and we need to get the formal process rolling now.

He informed the Board that Wind-Sun Construction ran into a lot of rubble while digging for the influent building. The original design won’t work and they’ll have to excavate down to bedrock. CPL has negotiated pricing with Wind-Sun for an extra cost of \$393,400 and it’s included in the project cost increase.

He knows they previously talked about the project costing \$12 million, but now feels confident with \$10.5 million including the Wind-Sun change order, UV Phase II, and contingency.

Trustee Bonacquisti made a motion for a **Resolution to Authorize a Change Order with Wind-Sun Construction for \$393,400.** The motion was seconded by Trustee Kettle and passed with voting as follows: Trustees Bonacquisti and Kettle, and Mayor Rogers – all Aye.

Trustee Bonacquisti made a motion for a **Resolution to authorize CPL, local Bond Council, and Fiscal Advisors to work with NYS EDC to modify the overall project budget to \$10.5 million pending full Board authorization of the bond resolution.** The motion was seconded by Trustee Kettle and passed with voting as follows: Trustees Bonacquisti and Kettle, and Mayor Rogers – all Aye.

Regarding the proposed housing development at 143 Lake St., Part I of the SEQR still needs to be completed by the developer. The Village needs to declare itself Lead Agency and then CPL can send letters to interested parties and, after 30 days, if no one is interested in becoming the Lead Agency, the Village can move forward with the public hearing and the SEQR.

After discussion, Board set April 13th for a Resolution to Declare Lead Agency, then hold the Public Hearing on May 18th.

ORGANIZATIONAL APPOINTMENTS AND RESOLUTIONS:

Trustee Bonacquisti, having been informed of the appointments and resolutions, made a motion for a **Resolution to Ratify Appointments and Adopt Resolutions.** The motion was seconded by Trustee Kettle and on a call of votes: Trustees Bonacquisti – Aye, Trustee Kettle – Aye, and Mayor Rogers – Aye. Motion carried.

Mayor Rogers appoints the following:

- Deputy Mayor..... Trustee Yacuzzo
- Clerk-Treasurer..... Eileen Carmel
- Deputy Clerk-Treasurer.....Katie Eick
- Budget Officer..... Mayor Rogers
- Attorney..... Jake Whiting
- Bingo Inspector..... Steve Rogers
- Official Newspaper..... Batavia Daily News
- Alternate Official Newspaper..... Democrat & Chronicle
- Registrar..... Patricia Canfield
- Official Depository..... General – Five Star
Payroll – Bank of Castile
NYCLASS

Mayor Rogers appointed the following individuals as members to serve on **Village Boards:**

PLANNING BOARD

- Pat Major (2023)
- Tom Frew (2025)
- John Mangefrida (2027)

ZONING BOARD OF APPEALS

- Joseph Spadaro (2024)
- John Allen (2023)
- Joe Laurie (2027)

HISTORIC PRESERVATION

- Joanne Snyder Raymond Yacuzzo Dawn Monsees

SEWER BOARD

- Gerry Aron, Chairman (2026)
- Brian Wardell (2024)
- Christopher Kemp (2025)
- Colin Dailey (2023)
- Dave Panepento (2027)

Mayor Rogers appoints the following as **Board Liaisons:**

- Town Council, Business Council, Main Street Revitalization – Trustee Kettle
- Sewer Board – Trustee Yacuzzo
- Parks, Recreation & Youth Board, Police Department, Watershed – Trustee Bonacquisti
- Genesee Association of Municipalities, Planning Board – Trustee Tetrault

ANNUAL MOTIONS:

MEETING NIGHTS – the first Monday of each month as a Work session and the third Wednesday of each month as the Board’s Regular Meeting days during the 2022-2023 official year.

AUTHORIZATION TO ATTEND MEETINGS

WHEREAS, there is to be held during the coming official year (a) the Annual Meeting conducted by the NYS Conference of Mayors; (b) the Training School for Fiscal Officer’s and Municipal Clerk’s conducted by New York State Conference of Mayor’s; (c) the Winter Legislative Conference conducted by the New York State Conference of Mayors; (d) the following County and Professional Association Meetings – GAM, ICMA, Highway Superintendent’s Association, Government Finance Association Meetings, Water Pollution Control Federation, and

WHEREAS, it is determined by the Board of Trustees that attendance by certain municipal officials and employees at one or more of these or similar meetings, conferences or school benefits the municipality, NOW THEREFORE

BE IT RESOLVED that all elected officials and employees (with prior notification) of the Village Board are authorized to attend the above meetings and reasonable budgeted expenses be paid with the approval of the Clerk-Treasurer.

AUTHORIZATION FOR CLERK-TREASURER TO PAY RECURRING BILLS – to authorize the Clerk-Treasurer to pay recurring utility, rent, postage, freight, mandated legal, health insurance, cell phone, and contractual expenses throughout the year in advance of the Board’s bimonthly audit of claim.

MILEAGE ALLOWANCE

WHEREAS, the Board of Trustees of the Village of LeRoy has determined to pay a fixed rate for mileage as reimbursement to officers and employees of the Village who use their personal automobiles while performing their official duties on behalf of the Village of LeRoy, NOW THEREFORE

BE IT RESOLVED, Section 1. That the Board of Trustees shall approve the reimbursement of such officers and employees at the rate of the IRS official business mileage rate (as of January 2022) 58.5 cents/per mile; Section 2. That this resolution shall take effective as of June 1, 2022.

SPECIAL MEETING PROCEDURE

WHEREAS, a procedure should be adopted by the Board of Trustees for calling a special meeting, and

WHEREAS, should a special meeting be necessary, the meeting may be called by the Mayor and by at least one trustee acting together, or by at least two trustees acting together, and

WHEREAS, after those Board members have decided the necessity of a special meeting,

NOW THEREFORE

BE IT RESOLVED that calling a special meeting may be accomplished by having the Clerk-Treasurer contact each Board member individually by letter, email, phone, or personally, and

BE IT FURTHER RESOLVED that notice be given to the news media and the public as soon as practicable.

RESOLUTION TO SET ORGANIZATION MEETING, 2023 – to set the 2023 Organizational Meeting for April 3, 2023 at 7:00 PM.

RESOLUTION TO SET FEE FOR REGISTRAR – to set the annual fees for the Registrar’s services at \$1,600.00.

RESOLUTION GRASS AND WEEDS

WHEREAS, it has been reported to the Board of Trustees of the Village of LeRoy those certain properties within the Village are in violation of Chapter 120 of the Village of LeRoy Code entitled “Grass and Weeds,” specifically Section 120-1 and 120-2 thereof, in that grass and weeds have been allowed to grow unmowed until they now exceed six inches in height, and

WHEREAS, the Code Enforcement Officer for the Village has heretofore attempted to give the notice required by Section 120-2 of the said Code to the last known owners of the respective premises without avail, and such notices have been returned to him marked as undeliverable by the United States Postal Service, NOW THEREFORE

BE IT RESOLVED that the Village Clerk-Treasurer shall notify the Village’s mowing contractor to mow the grass and weeds on specified properties, and to assess the costs thereof to the respective owners pursuant to Section 120-2 of the Village Code, including, if necessary, by adding the said costs to the respective owners’ tax bills, and

BE IT FURTHER RESOLVED that the said Code Enforcement Officer shall continue to monitor the conditions of the said premises, and all other premises within the Village, and shall have the authority to direct the Village Clerk-Treasurer to engage the mowing contractor for additional mowing whenever and wherever additional violations of the said Chapter are found, similarly assessed back to property owners as aforesaid, without further action of this board.

OFFICIAL CONSIDERATION:

Mayor Rogers

- Welcomed Trustee Kettle back for a meeting and asked when he would be back, in person. Trustee Kettle said he’d be there for the May 2nd meeting.
- Mayor Rogers also expressed his condolences to Trustee Yacuzzo and Clerk-Treasurer Carmel on the loss of a family member.

Trustee Kettle

- Asked if he could do the NYCOM webinars for elected officials at a cost of \$50. Mayor Rogers agreed and asked Clerk-Treasurer Carmel if she would help him and she agreed to do that.

Trustee Bonacquisti

- Nothing to share.

EXECUTIVE SESSION:

A motion to go into executive session for personnel reasons was made by Trustee Bonacquisti and seconded by Trustee Kettle and passed with voting as follows: Trustees Bonacquisti and Kettle, and Mayor Rogers – all Aye. Mayor Rogers asked that Chief Kellogg and Clerk-Treasurer Carmel attend this session. Session entered at 7:50 pm.

REGULAR SESSION:

Trustee Bonacquisti offered a motion to go back into regular session, seconded by Trustee Kettle and passed with voting as follows: Trustees Bonacquisti and Kettle, and Mayor Rogers – all Aye. Session entered at 7:56pm. No action taken during executive session.

AUTHORIZATION TO PAY BILLS:

A motion to pay bills retroactive to 11/30/21 was offered by Trustee Bonacquisti and seconded by Trustee Kettle and passed unanimously. Payment is as follows:

General Fund – Auto pays (incl. Intermedia 11/30/21, 2/16/22) and check numbers 24333, 34334, 24340, 24341, 24975-25006, totaling \$110,906.73

Cap #2 Fund – Check numbers 1149, 1150, totaling \$224,716.56

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

Meeting adjourned at 7:58pm.

Respectfully submitted,
Eileen Carmel, Clerk-Treasurer