

VILLAGE OF LEROY BOARD OF TRUSTEES
Minutes of Regular and Annual Organizational Meeting held on
April 15, 2024
Village Hall, 3 West Main St., Le Roy, NY

PRESENT: Mayor Gregory Rogers Clerk-Treasurer Eileen Carmel
Trustee William Kettle Municipal Historian Lynne Belluscio
Trustee Raymond Yacuzzo
Trustee James Bonacquisti
Trustee Richard Tetrault

ABSENT: Chief of Police Gregory Kellogg, DPW Supervisor Robert Lathan
WWTF Superintendent Steven Carroll,

OTHERS PRESENT: Nancy Crocker, Andrew Lathan

As Mayor Rogers had not yet arrived, Trustee Kettle called the meeting to order at 6:40 pm, followed by the Pledge to the Flag.

PUBLIC HEARING: TENTATIVE BUDGET FY 2024-2025

A motion was made by Trustee Bonacquisti to open the public hearing for the tentative budget for the fiscal year 2024-2025. It was seconded by Trustee Yacuzzo and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Kettle – Aye, and Trustee Bonacquisti – Aye. Trustee Kettle stated the tax rate for this budget would remain the same, at \$10.70/\$1000. There being no further discussion on this subject, a **motion was made by Trustee Bonacquisti to close the public hearing.** It was seconded by Trustee Yacuzzo and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Kettle – Aye, and Trustee Bonacquisti – Aye, carried.

At this point, items went out of order from the agenda.

APPROVAL OF MINUTES:

A motion was made by Trustee Yacuzzo to approve the minutes of the Board of Trustees meetings on 3/11, 3/20, and 3/26/24. It was seconded by Trustee Bonacquisti and passed unanimously.

COMMUNICATIONS:

NYS OSC Fiscal Stress Score – The NYS Office of the State Comptroller uses the Fiscal Stress Monitoring System to examine the annual financial info reported by the Village as of fiscal year 2023. The score reflects no fiscal stress. While the Village’s environmental stress score was low enough to score “no designation,” it showed a small amount, increasing from 2021-2022 and holding steady 2022-2023, which Trustee Yacuzzo questioned. Clerk-Treasurer Carmel said that the report showed an increase in households receiving public assistance in the Village. For 2022 – 2023, out of 2,055 households, 442 received assistance.

DEPARTMENT CONSIDERATIONS: None

NEW BUSINESS:

Festival Permits: Three requests for festival permits were received:
LeRoy Walk of Hope Chicken BBQ, Trigon Park, 6/8/24, 4-7pm
KK Bounce Summer Kick Off, Trigon Park, 6/18/24, 5-7pm
Oatka Festival Parade, Main St., 7/13/24, 10:30-12:00, step off @ 11am

Trustee Yacuzzo made a motion for a Resolution to Approve Festival Permits for LeRoy Walk of Hope Chicken BBQ, KK Bounce Summer Kick Off, and Oatka Festival Parade. It was seconded by Trustee Tetrault, and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Abstain.

Mayor Rogers joined the meeting at 6:52pm.

OLD BUS:/WWTF Project, Phase 1 Wind-Sun Construction Change Orders GC-3 through GC-8 R1, total increase of \$78,777.19: After discussion, the Board decided to approve all change orders except GC-3. **Trustee Yacuzzo made a motion for a Resolution to Approve Wind-Sun Construction Change Orders GC-4, GC-5, GC-6, GC-7 R1 and GC-8 R1, total increase of \$56,022.69.** 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.

COMM:/Letter from Diane Giacomo: After a large branch from a Village tree at 24 Elm St. fell, property owner requested the entire tree be cut down. Andrew Lathan from Lathan Tree Service stated he examined the tree and the branch in question was a 2nd limb on a leader. The tree isn't an imminent danger to the house. The Board felt that they'd been given due notice and asked that the tree be taken down. Mr. Lathan said he would put it on his list of Village trees and would be taking them down in order.

ADDED: Mayor Rogers said they have a meeting May 2 at 10:30am in front of Woodward Library to walk across to Oatka Creek with Ben Carson from the NYS Dept. of Environmental Conservation. They will discuss ideas to stabilize the creekbank, how to get rid of cattails, and various other plans. Trustee Yacuzzo asked the Clerk-Treasurer to contact Peter Lent, the Chairman of the Watershed Committee and Jim Seiler inviting them to attend.

DEPT./Municipal Historian:

- Lynne Belluscio said she's been besieged with requests for information recently, including a challenging request from Washington state and from a professor in Canada. Trish Riggi at the Library has been very helpful.
- LeRoy is the only community which hasn't recognized the Vietnam War in some way (other than on the military monument). Previously, the Board had considered naming streets after Gary Scott and John Aramino. Mayor Rogers asked the Board to think of a solution.
- She also mentioned the Chamber of Commerce saw a definite economic impact in the County for the recent solar eclipse.

OLD BUSINESS (cont.):

RESOLUTION TO ADOPT THE 2024-2025 BUDGET

MOTION BY: Trustee Yacuzzo

WHEREAS the Clerk-Treasurer submitted to the Board of Trustees a Tentative Budget for Fiscal Year 2024-2025, and

WHEREAS, a public hearing was held on April 15, 2024, on the proposal, **NOW THEREFORE BE IT RESOLVED** that the Tentative Budget setting the estimates of revenues, expenditures, salary, and wages for Village employees for the 2024-2025 Fiscal Year of various funds of the Village of LeRoy is hereby approved at the tax rate of \$10.70/per thousand of assessed valuation is established for said fiscal year.

SECONDED BY: Trustee Bonacquisti

VOTE:

AYES: Trustee Tetrault, Trustee Yacuzzo, Trustee Kettle, Trustee Bonacquisti, Mayor Rogers
NOES: None
ABSENT: None
ABSTAIN: None
DATE: 04/15/2024

**FINAL RESOLUTION FOR BOB JOHNSON CHEVROLET
PUBLIC SEWER DEDICATION**

MOTION BY: Trustee Yacuzzo

Whereas, on May 1, 2023, the Village of LeRoy (Village) passed a resolution and on May 17, 2023, passed an amended resolution authorizing the installation of a sewer line and connection to the Village public sewer line to service tax parcel ID 29.-1-10.11, owned by 7000 West Main LeRoy LLC (Owner), including eight (8) contingent conditions; and

Whereas the Village passed a resolution on March 20, 2024 accepting dedication of the sewer line, subject to approval of the dedication by resolution of the Town of LeRoy (Town); and

Whereas the Town passed a resolution ratifying the dedication of such sewer line to the Village of LeRoy on April 11, 2024, and

Whereas all contingent conditions have been met and satisfied; and

Now Therefore Be It Resolved that the Village of LeRoy Board of Trustees hereby accepts dedication of such sewer line.

SECONDED BY: Trustee Bonacquisti

VOTE

AYES: Trustee Tetrault, Trustee Yacuzzo, Trustee Kettle, Trustee Bonacquisti, Mayor Rogers
NOES: None
ABSENT: None
ABSTAIN: None
DATE: April 15, 2024

Prefab Building - Getterr Done Construction, Contractor Pay App #2 FINAL for \$56,797.20: Trustee Yacuzzo made a motion for a Resolution to Approve Getterr Done Construction Pay App #2 FINAL for \$56,797.20. 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:

Andrew Lathan asked about a local law for accessory buildings which was discussed last year. It wasn't in the Village's local laws on the NYS website. The Clerk-Treasurer will look into it.

Mr. Lathan also was approached by three Lake St. property owners to cut down black walnut trees to harvest the timber. The properties border Village property and he requests access to Village property by use of trails behind the WWTF to reach the back of the other properties. He also noticed 12 Village trees that are within seven feet of property lines and could be harvested at the same time if the Board wishes. Mayor Rogers would like John Eisenhart to be consulted first on behalf of the Village. **Trustee Yacuzzo made a motion for a Resolution Allowing Lathan Tree Service to Cross Village Property To Access Adjoining Properties and Allowing Lathan Tree Service to Traverse Village Property Should an Agreement be Made for Village Trees to be Harvested.** 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.

ORGANIZATIONAL APPOINTMENTS AND RESOLUTIONS

ORGANIZATIONAL APPOINTMENTS: Mayor Rogers appoints the following:

Deputy Mayor.....Trustee Kettle
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 Bank
Payroll – Tompkins Bank
Investment – NYCLASS

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

PLANNING BOARD

Tom Frew (2025)
John Mangefrida (2027)
Pat Majors (2028)

SEWER BOARD

Christopher Kemp, Chairman (2025)
Brian Wardell (2029)
Colin Dailey (2028)
Brian SinClair (2028)
Ronald Pangrazio (2029)

ZONING BOARD OF APPEALS

John Allen, Chairman (2027)
Joseph Spadaro (2029)
Bob Taylor (2028)
Chad Alquist, Alternate (2028)
Nikki Calhoun, Alternate (2028)

HISTORIC PRESERVATION

Joanne Snyder Raymond Yacuzzo Dawn Monsees

Mayor Rogers appoints the following as Board Liaisons:

Town Council and 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 – During the 2024-2025 official year, the third Wednesday of each month shall be the Board’s Regular Meeting night at 7:00pm and, when the Board chooses, the first Monday of a month shall be a Workshop meeting at 7:00pm.

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 Environment Federation, New York Water Environment Association, Inc., 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 monthly 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 2023) \$.655 cents /per mile: Section 2. That this resolution shall take effective as of June 1, 2023.

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, 2025 – to set the 2024 Organizational Meeting for April 7, 2025, at 7:00 PM.

RESOLUTION TO SET FEE FOR REGISTRAR – to set the annual fees for the Registrar’s services at \$2,000.00.

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.

Trustee Bonacquisti offered a motion to Ratify Appointments and Accept All, and to Adopt All Resolutions. It was seconded by Trustee Tetrault and on a call of votes Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, Mayor Rogers – Aye, carried.

OFFICIAL CONSIDERATIONS:

Trustee Bonacquisti: Wanted to acknowledge the passing of Jim Wujcik. He was the Village Attorney at one time and was in several youth programs.

Trustee Kettle: Also acknowledged Jim Wujcik, who “was a good guy and will be sorely missed.” He asked that the Monday night meetings start at 7pm as the recent 6:30pm is too early and runs into Business Council meetings.

Trustee Yacuzzo: Nothing.

Trustee Tetrault: Nothing. He just got back from vacationing in Florida.

Mayor Rogers: Thanked everyone for coming.

AUTHORIZATION TO PAY BILLS:

Trustee Bonacquisti made a **Motion to Pay Bills, retroactive to 3/29/23**. It was seconded by Trustee Yacuzzo and passed unanimously. Payment is as follows:

General Fund: Auto pays and check numbers 26809-26859, 26862, totaling \$223,026.47.

Cap #2 Fund: Check number 1245, totaling \$27,371.25.

EXECUTIVE SESSION:

Trustee Bonacquisti made a motion to go into Executive Session for the medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation. 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. Mayor Rogers stated the session was just for the Board. Session was entered at 7:35pm.

RETURN TO REGULAR SESSION:

Trustee Bonacquisti made a motion to Return to Regular Session. It was seconded by Trustee Tetrault, and passed with voting as follows: Trustee Tetrault, Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye. Session was entered at 8:09pm. 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 Yacuzzo and passed unanimously. Meeting adjourned at 8:10pm.

Respectfully submitted,
Eileen Carmel, Clerk-Treasurer