

**VILLAGE OF LEROY BOARD OF TRUSTEES**

Minutes of Regular Meeting held on

**June 19, 2024**

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

**PRESENT:** Mayor Gregory Rogers  
Trustee William Kettle  
Trustee Raymond Yacuzzo  
Trustee James Bonacquisti  
**ABSENT:** DPW Sup. Robert Lathan, WWTF Supt. Steven Carroll,  
**OTHERS:** Nancy Crocker, Tom McGinnis, Jennifer and Terrance Keys, Jim Seiler, Jasmine Morrow  
Trustee Richard Tetrault  
Chief of Police Gregory Kellogg  
Clerk-Treasurer Eileen Carmel  
Municipal Historian Lynne Belluscio

Mayor Rogers called the meeting to order at 7:00 pm, followed by the Pledge to the Flag. Guest Speaker Alan Garrett hadn't arrived yet, so Mayor Rogers said they'd go out of order of the agenda.

**APPROVAL OF MINUTES:** Trustee Bonacquisti made a **Motion to Approve the Minutes of the Board of Trustees meetings on 5/15/24 and 5/20/24.** It was seconded by Trustee Yacuzzo and passed unanimously.

**COMMUNICATIONS:**

Univera sent a notice of a proposed rate change of 16.28% for next years' Village employee health insurance policy. Mayor Rogers said he plans to "shop around."

**ADDED:** Mayor Rogers allowed resident and businessman Tom McGinnis to speak during this part of the meeting. Mr. McGinnis requests a zoning change for his property at 78 Lake St. The former inn/lodge is zoned Industrial (its usage as an inn/lodge was grandfathered in when originally zoned). There are rooms/apartments upstairs, but his realtor informed him of a buyer who wants to convert the downstairs into apartments as well. This can only be done if the property is rezoned. When asked who the potential buyer was, Mr. McGinnis didn't know. The mayor felt that was too vague. The Village doesn't want another 66 Lake St. (the LPD continues to answer calls for service for ongoing problems). Trustee Tetrault said they need to see plans; this needs a commitment. Mayor Rogers agreed and added they won't do any zoning changes without first seeing plans. Trustee Kettle reminded them a zoning change requires a public hearing.

**DEPARTMENT CONSIDERATIONS:**

LPD: Chief Kellogg said the department is increasing foot and bike patrols. Trustee Bonacquisti said it was nice to see officers at a recent event in Trigon Park. Trustee Yacuzzo said he likes Officer Terrez Smith and several other people have told him the same thing. Trustee Kettle said he met Officers William Riley, Krysta Tomaszewski, and Sean Ancker at a recent incident on South St.

WWTF: **Trustee Yacuzzo made a motion for a Resolution to Accept Remedial Insulation Barriers Co., Inc., \$29,800 Proposal to re-coat existing office roof of the WWTF.** 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.

DPW: Sup. Lathan worked 10 hours days in the heat and Mayor Rogers gave him the night off.

CLERK-TREASURER:

- The Main St. Grant Project is now closed out by NYS Homes and Community Renewal. Starting in the Summer of 2021, the program has combined total disbursements of \$226,416 for 6 commercial properties on Main St. and the streetscape benches.
- The Board approved closing the Village Office on Friday, July 5.
- Next scheduled Board meetings at Village Hall at 7:00pm:
  - 7/1/24 – Comprehensive Plan Workshop
  - 7/17/24 – Regular meeting
  - 8/21/24 – Regular meeting

**MUNICIPAL HISTORIAN:**

- Lynne Belluscio said her Oatka Festival plans include having her own tent, creating scavenger hunts for adults and kids, and a drawing for a LeRoy afghan.
- Gary Scott Memorial Highway – the resolution for this will need letters of support and, once it goes to the state, it must be passed by both the Senate and Assembly.

**MOVED:**

**OLD BUSINESS:**

**RESOLUTION TO NOMINATE GARY SCOTT MEMORIAL HIGHWAY  
ON ROUTE 19 IN LE ROY**

**MOTION BY** Trustee Bonacquisti

**WHEREAS** Gary Arnold Scott was born in Le Roy, NY July 11, 1945, graduated from LeRoy High School, and from Syracuse University as a Distinguished ROTC graduate, and

**WHEREAS** During the Vietnam War, Gary Scott chose the toughest and most dangerous assignment in the Infantry because he felt the Infantry provided the best chance to prove he could be an outstanding military leader and there was not sufficient representation of Blacks in leadership positions in this country, and

**WHEREAS** Gary Scott served in Vietnam as a Second Lieutenant in A Company, 1<sup>st</sup> Battalion of the 101<sup>st</sup> Airborne Division, “Screaming Eagles,” and was killed March 29, 1968, during an ambush in Thua Thien, saving the lives of his men, and was posthumously awarded the Silver Star for valor in combat, and

**WHEREAS** Gary Scott’s Syracuse University friends set up a scholarship in Gary’s name at LeRoy Central School, continuing to financially support the award since 1969, and

**WHEREAS** Gary Scott’s story was included in the 1987 book, Dear America: Letters Home from Vietnam, which was the foundation of a documentary directed and produced by Bill Couturie, featuring letters read by Robert De Niro, Martin Sheen, and Robin Williams and won a Special Jury Prize at the Sundance Film Festival, two Emmy Awards, and the Peabody award, and

**WHEREAS** In 2019, LeRoy’s Veterans Day program included the dedication of a black granite Vietnam memorial on Trigon Park, carved from the same black granite used for the Vietnam Memorial Wall in Washington, D.C., bearing the names of Le Roy’s two Vietnam casualties, Gary Scott and Harry Van Alst, and

**NOW THEREFORE, BE IT RESOLVED**, The Village of LeRoy Board of Trustees hereby nominate Route 19 from the NYS Thruway into the Village of LeRoy as the “Gary Scott Memorial Highway.”

**SECONDED BY** Trustee Yacuzzo

Ayes: Trustee Tetrault, Trustee Yacuzzo, Trustee Kettle, Trustee Bonacquisti, and Mayor Rogers

Noes: None

Absent: None

Abstain: None

06/19/2024

**PRESENTATION: Tree Planting and Management**

Guest Alan Garrett, member of the Oatka Creek Watershed Committee and of the Village of Caledonia Tree Board, presented information regarding tree planting and management. Trees help to absorb sounds, create a cooler environment, lower energy costs, and increase property rates, but they’re also difficult to replace and managing trees costs a municipality money. There’s state grant money available, but only if we are a Tree City USA community. To qualify, four standards established by the Arbor Day Foundation and the National Association of State Foresters must be met. The four standards are: (Also see <https://www.arborday.org/programs/treecityusa/>)

1. Maintaining a tree board or department
2. Having a community tree ordinance
3. Spending at least \$2 per capita on urban forestry
4. Celebrating Arbor Day

Mr. Garrett said the Tree Board is important and the NYS DEC Forester for Genesee County can help with the Tree City USA application. During general discussion, it was mentioned that Bergen was the only local municipality on the Tree City list, and it was determined that setting up a Tree Board and doing a Village Tree Inventory would be a good place to start. Mayor Rogers said that National Grid does a hatchet job on the trees and he wants to do smart planning before spending money on trees.

**OLD BUSINESS Cont.:**

- **WWTF: Phase 1: Trustee Yacuzzo made a motion for a Resolution to Approve Wind-Sun Construction Pay App #32 Revised for \$135,623.50.** 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: Trustee Yacuzzo made a motion for a Resolution to Approve STC Construction, Change Order GC-03 in the amount of -\$2,625.** 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: Trustee Yacuzzo made a motion for a Resolution to Approve STC Construction, Pay App #10 for \$78,137.50.** 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.

RESOLUTION TO APPROVE G/FLRPC CONTRACTUAL AGREEMENT

**MOTION BY** Trustee Yacuzzo

**WHEREAS** the Village of LeRoy wishes to update its Comprehensive Plan, and

**WHEREAS** the Genesee/Finger Lakes Regional Planning Council (G/FLRPC) has resources to provide technical assistance to the Village for completing the update process, **NOW THEREFORE**

**BE IT RESOLVED** the Board of Trustees hereby approves and authorizes the Mayor to sign the Contractual Agreement Between Genesee/Finger Lakes Regional Planning Council and the Village of LeRoy, New York for Technical Assistance in the Formulation of a Comprehensive Plan.

**SECONDED BY** Trustee Kettle

Ayes: Trustee Tetrault, Trustee Yacuzzo, Trustee Kettle, Trustee Bonacquisti, and Mayor Rogers

Noes: None

Absent: None

Abstain: None

- Mayor Rogers said that after Waste Management was awarded the Refuse and Recyclables bid, they requested changes to the agreement. He met with the Village Attorney, who recommended changes to the bid and the agreement so that they were in alignment.

**RESOLUTION TO ADD ADDENDUM NUMBER 3 TO COLLECTION AND DISPOSAL OF REFUSE AND RECYCLABLES, SPEC. NO. 2024-2**

**MOTION BY** Trustee Yacuzzo

**WHEREAS**, the Village of LeRoy Board of Trustees authorized the Clerk-Treasurer to advertise and receive bids for Collection of Refuse and Recycling, and

**WHEREAS**, said bids were received on March 19, 2024, and the only bidder was Waste Management of New York, LLC, and

**WHEREAS**, the Board of Trustees awarded the bid and contract for the Collection of Refuse and Recycling on March 20, 2024, to Waste Management of New York, LLC, and

**WHEREAS**, after continued negotiations between Waste Management and Village of LeRoy concerning certain language of Spec. No. 2024-2 and the agreement, **NOW THEREFORE**

**BE IT RESOLVED**, the Village of LeRoy Board hereby approves the addition of Addendum Number 3 to Spec. No. 2024-2 Collection and Disposal of Refuse and Recyclables for clarification purposes.

**SECONDED BY** Trustee Kettle

Ayes: Trustee Tetrault, Trustee Yacuzzo, Trustee Kettle, Trustee Bonacquisti, and Mayor Rogers

Noes: None

Absent: None

Abstain: None

**RESOLUTION TO APPROVE AGREEMENT FOR THE COLLECTION AND DISPOSAL OF REFUSE AND RECYCLABLES**

**MOTION BY** Trustee Yacuzzo

**WHEREAS**, the Board of Trustees awarded the bid and contract for the Collection of Refuse and Recycling on March 20, 2024 to Waste Management of New York, LLC, and

**WHEREAS**, after continued negotiations between Waste Management and Village of LeRoy concerning certain language of Spec. No. 2024-2 resulting in Board approval of Addendum Number 3,

**NOW THEREFORE**

**BE IT RESOLVED**, the Village of LeRoy Board hereby approves the Agreement for the Collection and Disposal of Refuse and Recyclables and authorizes the Mayor to execute the Agreement with Waste Management of New York, LLC.

**SECONDED BY** Trustee Kettle

Ayes: Trustee Tetrault, Trustee Yacuzzo, Trustee Kettle, Trustee Bonacquisti, and Mayor Rogers

Noes: None

Absent: None

Abstain: None

**RESOLUTION TO AWARD 2024 SIDEWALK REPLACEMENTS**

**MOTION BY** Trustee Tetrault

**WHEREAS** in 2020 and 2021 the Board of Trustees authorized the Clerk-Treasurer to advertise Bids for Sidewalk Replacements, and

**WHEREAS** two bids were received in 2020 and only one bid was received in 2021, and

**WHEREAS** bids in 2020 and 2021 were awarded to Pro Construction of Bergen, NY, and

**WHEREAS** on 6/21/23 the Board of Trustees passed a Resolution to piggyback off the Town of Brighton sidewalk bid award and hired Pro Construction to replace Village sidewalks, and

**WHEREAS** Pro Construction was again awarded the Town of Brighton sidewalk replacement bid for 2024, **NOW THEREFORE**

**BE IT RESOLVED** retroactive to 5/15/24, the Board of Trustees hereby agrees to piggyback off the 2024 Town of Brighton sidewalk bid award and hire Pro Construction for Village Sidewalk Replacements at a 6% cost increase from 2023.

**SECONDED BY** Trustee Bonacquisti

Ayes: Trustee Tetrault, Trustee Yacuzzo, Trustee Kettle, Trustee Bonacquisti, and Mayor Rogers

Noes: None  
Absent: None  
Abstain: None

**ADDED:**

Mayor Rogers has met with representatives from Value Stack Energy on a recommendation from Rob Richardson at Genesee/Finger Lakes Regional Planning Council and as part of the NYSERDA Clean Energy Communities program. He announced that the Village would be getting a site review to install four EV charging stations, one in each municipal parking lot (Mill St., Bank St., Bacon St.) and in the Village Hall parking lot. These would be purchased with grants.

**OFFICIAL CONSIDERATIONS:**

Trustee Bonacquisti: Nothing.

Trustee Kettle: Nothing

Trustee Tetrault: He attended a GAM meeting where Rob Richardson from G/FLPC made the same presentation as he did here. The water issue was discussed, LeRoy's Splash Park was mentioned. As of May 12, ground water was lower than last year and it's not recovering like it should. There's talk of shutting down all the water parks. The mayor said that last year, we shut down the Splash Park for 10 minutes in between cycles because the County was worried about the water usage. He had wanted a recycled water system for the Splash Park, but the cost would have doubled.

Trustee Yacuzzo: He would like a letter sent to the NYS DEC, describing that Oatka Creek is overwhelmed by nutrients from dairy and irrigation processes and ask that they examine the situation and get back to us. It was agreed that Trustee Yacuzzo would draft the letter. Jim Seiler added that wells in Pavilion and Bethany are dry.

Mayor Rogers: Thanks for coming out. Thank you to the DPW, LPD, and everyone, for all that you do.

**AUTHORIZATION TO PAY BILLS:**

**Trustee Bonacquisti made a motion to pay bills, reluctantly, retroactive to 4/15/24.** It was seconded by Trustee Kettle and passed unanimously. Payment is as follows:

General Fund: Auto pays and check numbers 26861, 26940-26985, 26987-27034, 27036-27050 totaling \$456,131.62

Cap #2 Fund: None

**EXECUTIVE SESSION:**

**Trustee Kettle made a motion to go into Executive Session for collective negotiations pursuant to the Taylor Law.** 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. Mayor Rogers stated the session was for the Board only. Session was entered at 8:07 PM.

**RETURN TO REGULAR SESSION:**

**Trustee Kettle made a motion to Return to Regular Session.** 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. Session was entered at 8:55pm. 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 Kettle and passed unanimously. The meeting adjourned at 9:00pm.

Respectfully submitted,  
Eileen Carmel, Clerk-Treasurer