

## VILLAGE OF LEROY BOARD OF TRUSTEES

Minutes of Regular Meeting held on

**August 24, 2022**

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  
Clerk-Treasurer Eileen Carmel  
WWTF Superintendent Steven Carroll  
DPW Supervisor Robert Lathan

Others Present: Nancy Crocker, June Dusen, Marcia MacKenzie, Dawn & Heiko Monsees, Gayle Young, Rita Wallace

Mayor Rogers called the meeting to order at 7:00 pm, followed by the Pledge to the Flag.

### **APPROVAL OF MINUTES:**

A **motion** was made by Trustee Bonacquisti **to approve the minutes of the Board of Trustees meeting on August 10, 2022**. It was seconded by Trustee Kettle and passed unanimously.

### **COMMUNICATIONS:**

Genesee County Smart Growth Plan 2022: Trustee Yacuzzo asked to speak on this and Mayor Rogers agreed. Trustee Yacuzzo stated the County Smart Growth was originally intended to preserve agricultural areas, grow villages, and encourage residential development. But there have been 18 applications for water service outside the Smart Growth area and only two were turned down. He heard that because they allotted more water than planned, bigger pipes were needed and they planned to give water to farms, something not in the original plan. They also took sales tax away. He feels the County should hear that they aren't sticking to their own plan. Mayor Rogers said he'd reach out to them.

Selective Insurance – Claim closed: Mayor Rogers stated that the Village's Insurance company, Selective Insurance, has closed the case on Wolcott Street (Alquist claim), not settled, closed, as our insurance company found the Village was not at fault for the situation. When he asked if there were any questions, there were none.

### **DEPARTMENT CONSIDERATIONS:**

#### LPD:

- Chief Kellogg said the LPD had just run active shooter training, providing response tactics to LeRoy School faculty. They also did a citizens response training that wasn't as well-attended but was well-received by those who did attend.

#### WWTF:

- Superintendent Carroll stated the equipment auction through Auctions International went well. They're gearing up to get the new blowers for Phase II of the facility project, but the old ones are failing now.

DPW:

- Supervisor Lathan said it's been quiet; they've been patching and tree trimming.

Trustee Yacuzzo added that Sup. Lathan found original plans for Village Hall but they are very difficult to see and asked for authorization to get them copied.

Trustee Kettle made a **motion for a Resolution Authorizing DPW Supervisor Lathan to have architectural plans of Village Hall reproduced.** 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.

Clerk:

- Clerk-Treasurer Carmel stated that advertisement for bids for the Main Street and Mill Street sidewalk project will go in the Batavia Daily this Thursday and the bids will be opened at Village Hall on September 16<sup>th</sup> at 10:00am.
- The next Village Board meetings will be September 21 and October 19.

**OLD BUSINESS:**

Wolcott Street Gazebo: June Dusen and Marcia McKenzie spoke to the Board regarding repeated vandalism and weather-related damage which are cause for concern in the condition and maintenance of the gazebo.

Chief Kellogg states the LPD has been frustrated by the vandalism at the gazebo and the pool, that it's challenging to catch those responsible and enforcement is difficult. They discussed different camera systems, adding security lights, and posting signage closing the gazebo at a certain time each evening.

Trustee Yacuzzo made a **motion for a Resolution to set the hours of the gazebo and other Village parks to close at “dusk” or 8:00 PM, depending on the time of year.** 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.

DPW Supervisor Lathan reported recent maintenance that was done but there is more to do. The biggest concern is the roof. The shingles are difficult to purchase and will take time to get in. Mayor Rogers suggested that if they can't get that particular type of shingle, perhaps a different one will work?

Actions – work through the list of repairs needed and get the roof completed this year.

MCWA Quote for Work on Wildwood Splash Pad: Mayor Rogers said the Village received a quote from Monroe County Water Authority to move the water hydrant, extend the water main 10', and add a tee with a tap so we can tap in and add our pipe to the building/park. The Village has to pay the amount of the quote before Monroe County Water will do the work.

Trustee Kettle made a **motion for a Resolution to Authorize Payment of Monroe County Water Authority Quote Dated 8/17/22 in the Amount of \$10,016.14 for the Wildwood Splash Pad.** 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:**

Zoning Change Request: Resident Dawn Ireland-Monsees presented her architectural plans for a Bed & Breakfast on her property, located at 30 West Main St. The plans utilize the foundation of a previous carriage house separate from her current home to build a new structure and connect it to the house with a covered walkway. She hopes to make this a destination property, has previously worked in the field, and has researched other B & B establishments in the area. She consulted Code Enforcement and requests language changes to the zoning code to make her plans feasible.

Trustees Yacuzzo and Bonacquisti and Mayor Rogers liked the idea. Trustees Kettle and Tetrault both said they would be all for the plan, as long as proper procedures were followed.

It was stated that the issue should go to the Planning Board first then set up a Public Hearing of the Village Board for the zoning changes. Mayor Rogers warned Mrs. Ireland-Monsees that this could take some time. She agreed, though stated she'd like to start next Spring. Mayor Rogers said he'd contact CEO Mike Risewick to talk about the situation.

Appointment of Alternate Crossing Guard - David Spear: Mayor Rogers appointed David Spear to the position of Alternate Crossing Guard. Trustee Bonacquisti made a **motion for a Resolution to Ratify the Mayor's Appointment of David Spear as an Alternate Crossing Guard, pending Civil Service Approval and Completed Paperwork at a Rate of \$15.00/hour.** 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.

(Added) Jason Davis Resignation: Chief Kellogg stated that Officer Jason Davis, SRO at the LeRoy Jr. Sr. High School, has resigned. Trustee Bonacquisti made a **motion for a Resolution to Accept, with Regrets, the Resignation of Officer Jason Davis, Effective 8/18/22.** 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.

Chief Kellogg explained that Officer Austin Steinbrenner would now be the SRO at Wolcott St. School and Officer Steven Cappelletti would be the SRO at the High School. The Dept. is back-filling patrol with part-timers.

Festival Application: A festival application was submitted, with all proper signatures secured, by the LeRoy Historical Society. **Trustee Tetrault made a motion to approve the festival application for the LeRoy Historical Society's Fall Chicken BBQ at Trigon Park for September 18<sup>th</sup>, 9am – 2pm.** It was seconded by Trustee Yacuzzo and passed with voting as follows: Trustees Tetrault, Yacuzzo, Bonacquisti, and Kettle, and Mayor Rogers – all Aye.

## **CITIZEN PARTICIPATION:**

Gayle Young, 15 Madison Ave., has had a water problem on her property since 2019. She thought when they put the swale in, it would help, but it still floods. Then, they took down trees. She asked what the status is. Mayor Rogers said that the Village and the Village Attorney have tried to negotiate a solution with Pete McQuillen, the nearby developer, to no avail. That's all they've been able to do so far.

Rita Wallace asked about the plan to replace the Village street lights with LEDs. The Board assured her it was just a bulb change, not changing the poles, and that it would start with Main Street.

## **OFFICIAL CONSIDERATIONS:**

Trustee Bonacquisti: He was very impressed by the Village of East Aurora on a recent visit. He thinks that with the gazebo, creek, and Main St. Revitalization, that LeRoy has good potential.

Trustee Kettle: Nothing.

Trustee Tetrault: He feels bad about Gayle Young's situation and asked if the property has always been like that? It was mentioned that development nearby has aggravated the situation – and it's actually been a dry summer.

After discussion, Trustee Kettle made a **motion for a Resolution to Authorize Village Attorney, Jake Whiting, the Authority to Negotiate for the Purchase of the approx. 20' X 12' Section of Property at the End of Adams Street from Developer Pete McQuillen, but at a Cost No Higher than \$5,000.00.** 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.

Sup. Lathan stated he would inform Gayle Young of the plan as she had already left the meeting.

Trustee Yacuzzo said that Pete McQuillen should be made aware that he can't go forward with further development without Code Enforcement involvement.

Trustee Yacuzzo: He went through the Village Hall building with architect Ann Ver Hague. They think an elevator could be installed where the series of three vaults are currently located. He would like authorization from the Board to request the company Ann Ver Hague works for to create an estimate for the job. Board members gave verbal authorization to go ahead with the estimate.

Mayor Rogers: Nothing.

## **EXECUTIVE SESSION:**

Trustee Bonacquisti made a **motion for a Resolution to Enter Executive Session for Personnel Reasons.** It was seconded by Trustee Kettle and passed with voting as follows: Trustees Tetrault, Yacuzzo, Bonacquisti, and Kettle, and Mayor Rogers – all Aye. Mayor Rogers asked that Clerk-Treasurer Carmel, Chief Kellogg, WWTF Superintendent Carroll, and DPW Supervisor Lathan to join the session. Session entered at 8:04pm.

## **REGULAR SESSION:**

Trustee Yacuzzo made a **motion for a Resolution to Return to Regular Session.** It was seconded by Trustee Tetrault and passed with voting as follows: Trustees Tetrault, Yacuzzo, Bonacquisti, and Kettle, and Mayor Rogers – all Aye. Session entered at 8:20pm.

Mayor Rogers stated that no business was conducted during the session.

Trustee Yacuzzo made a **motion for a Resolution to Credit Wastewater Maintenance Worker II, Robert Semmel, with Three Years Past Experience, to the Top of Union Pay Grade 8, for a Rate of \$27.29/hour.** 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.

**AUTHORIZATION TO PAY BILLS:**

**A motion for a Resolution to Pay Bills Retroactive to 8/16/22\*** was offered by Trustee Bonacquisti and 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. Payment is as follows:

General Fund – Auto pays and check numbers 24368, 24369, 24370, 25311 – 25391, totaling \$236,918.38\*\*

Cap #2 Fund – Check numbers 1157 – 1158, totaling \$162,995.81

**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 8:23pm.

Respectfully submitted,  
Eileen Carmel, Clerk-Treasurer

The following corrections were made via Board Resolution 10/19/22.

\*Correction: “A motion for a Resolution to Pay Bills Retroactive to 8/3/22”

\*\*Correction: “General Fund – Auto pays and check numbers 24366, 24368-24370, 25311 – 25354, totaling \$200,745.95”