

## VILLAGE OF LEROY BOARD OF TRUSTEES

Minutes of Regular Meeting held on

**October 3, 2023**

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

### **PRESENT:**

Mayor Gregory Rogers	Clerk-Treasurer Eileen Carmel
Trustee Richard Tetrault	Code Enforcement Officer Michael Risewick
Trustee Raymond Yacuzzo	Code Enforcement Officer Jeffrey Steinbrenner
Trustee William Kettle (joined meeting late)	
Trustee James Bonacquisti	Zoning Board of Appeals: Nikki Calhoun

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

Others Present: None

Mayor Rogers called the meeting to order at 6:30 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 9/20/23.** It was seconded by Trustee Tetrault and passed unanimously.

### **WORKSHOP: UPDATE VILLAGE ZONING CODE**

CEOs Risewick and Steinbrenner had the following concerns:

- Earl Funderburk, Distillery, 57 North St.: Liquor licensing was discussed. Mr. Funderburk intends to apply for a Farm Distillery License. Code Enforcement has no problem with the idea. It'll require a site plan review and special use permit. Trustee Yacuzzo walked through the facility with Mr. Funderburk and supports the plan. Trustee Tetrault likes that it's out of the way and there's good parking. Trustee Bonacquisti believes it's a good use of the building.
- Chickens: CEO Risewick mailed Emily Mankes and the property owners of 43 Church St. a 30-day notice last week, stating he'd begin court proceedings if the chickens weren't removed. Raising chickens is a popular hobby and many municipalities allow it. Possibly a special use permit process, for hobby, not home occupation. The permit costs \$200, the Village controls compliance conditions, the permit is reviewed yearly and can be revoked if there's a compliance violation. Several possible condition ideas were discussed as was farm animals raised as pets vs breeding for production and/or harvesting.
  - Mayor Rogers said he would speak to Wade Beltramo at NYCOM and Jake Whiting, Village Attorney. Trustees Tetrault and Yacuzzo felt that was a good idea. Trustee Bonacquisti was very much against chickens in the Village. *Trustee Kettle joined the meeting at this point and was brought up to speed on the topic.* He's concerned about small property sizes where the neighbors are very close. He has reservations about the topic.
- Accessory Structures for Industrial-Zoned Properties: This has come up due to an unusual circumstance whereby Andrew Lathan owns properties on North St. and Church St. that border each other along the back. Mr. Lathan wishes to build a pole barn off the back of the Church St. structure, which would then be on the North St. property. The North St. property has no current building on it, so this would be a primary structure, and, by code, requires heat, plumbing, etc.

that isn't part of the plan. The Town Code allows for an accessory structure to be built on a lot without a primary/principal building, with a special use permit. And, as mentioned before, the permit can be pulled if the operation goes against how the use was presented. Setbacks still apply, he'd have to get a variance. The Mayor asked the Board how they felt about changing and accepting the Town's code for this specific item. They seemed interested in the idea. It was agreed to have CEO Risewick adapt the Town's code for this for the Board to consider.

The Mayor had some concerns, as well:

- New Builds: Currently, we have to send out the Site Plan Review to a NYS Certified architect/engineer and charge \$500 for it. The Mayor wants to make the process more appealing to bring business into the Village, find a cheaper source or waive the cost, etc. CEO Steinbrenner said they can't find anyone cheaper who's NYS certified and we are actually cheaper than other places.
- Comprehensive Plan: The Board is in the process of updating the plan and looking to bring more people and business into the Village. Everything helps. We have to have our ducks in a row to help entice developers to come in. It's a very competitive market.
- Homeless: Several homeless young men have been panhandling and sleeping in public areas at night, etc. Police are limited in what they can do. ZBA member, Nikki Calhoun, stated that the homeless have been a little-known but significant problem in Genesee County for many years. These may be young men who aged out of the foster care system (18-20 years old) without access to their birth certificates, which means they can't apply for ID or public assistance. She has had experience with this herself. Her family had to go through five different agencies and finally through the court system before her foster child was allowed access to the child's birth certificate just to get a driver's license. Something to consider.
- New Sewer Connections: DPW Sup. Bob Lathan needs to be able to view new sewer connections before they get covered up.

**ADDED:**

All LeRoyan Day: A motion was made by Trustee Bonacquisti to declare October 14, 2023 "All LeRoyan Day," in honor of Kate Flint. 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 PROCLAIMING "ALL LEROYAN DAY"  
KATE FLINT**

MOTION BY Trustee Bonacquisti

WHEREAS, each year the American Legion, Botts-Fiorito Post 576 declares a LeRoyan of the Year, and

WHEREAS, said award is given to an individual who has achieved outstanding accomplishments toward community and their fellow man, and

WHEREAS, the 2023 LeRoyan of the Year Recipient of the American Legion Botts-Fiorito Post 576 is KATRINA (KATE) FLINT, and

WHEREAS, the Village Board would like to recognize her achievements to the community, and

WHEREAS, the Village Board is appreciative of the dedication, time, and efforts by Kate to the community, NOW THEREFORE

BE IT RESOLVED that the Village of LeRoy Board of Trustees declares October 14, 2023 to be known as "All LeRoyan Day" in honor of Kate Flint, and

BE IT FURTHER RESOLVED that the Board of Trustees authorizes the Mayor of the Village to sign said proclamation so stating and the seal of the Village be affixed thereto.

SECONDED BY Trustee Tetrault, and on a call of votes: Trustee Bonacquisti – Aye, Trustee Kettle – Aye, Trustee Yacuzzo – Aye, Trustee Tetrault – Aye, Mayor Rogers – Aye. Motion carried.

Camping/Camp Grounds: CEO Risewick knew the Village had an issue with a property on West Main St. which seemed to have a lot of campers on the property during the summer and some a few complaints from residents regarding noise and/or messy property condition. The Town Code has a section about recreational vehicles occupied as a dwelling. The Mayor would be interested in looking at this as well.

Universal Garbage Collection: Both CEOs state they spend a lot of their time handling issues regarding garbage collection. They would like to do away with the stickers. Clerk-Treasurer Carmel stated that the garbage contract the Village currently has is the most economical option at the moment. She will look into the contract end date.

Terrace Plantings: CEO Steinbrenner said that planting flowers and bushes in the terrace between the sidewalk and street makes plowing and walking a problem. There was a discussion of the fact that several gardeners in town have beautiful, very neat terrace areas. If there's a problem, the Mayor said the DPW Supervisor could go talk to homeowners.

When Mayor Rogers asked if there were any other issues:

- Trustee Tetrault mentioned the trend in “tiny houses.” The CEOs agreed it was a problem.
- Trustee Bonacquisti asked if there was still a moratorium on turning single family homes into doubles. No, the moratorium is no longer in effect.
- Trustee Yacuzzo wondered if there would be an advantage to rezoning the Pleasant, Bacon, and some of Mill Streets to commercial. It could open up businesses or habitate houses.
- Mayor Rogers would like to make the month of October each year going forward a time to look over zoning issues.

ADDED:

Festival Permit: **Trustee Yacuzzo made a motion to approve a festival permit for the LeRoy Business Council for the annual Halloween Parade, 10/31/23, 5:30pm Step-off.** The motion 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.

**ADJOURN:**

There being no further business before the Board, **Trustee Tetrault made a motion to adjourn,** seconded by Trustee Yacuzzo and passed unanimously. Meeting adjourned at 8:15pm.

Respectfully submitted,  
Eileen Carmel, Clerk-Treasurer