

VILLAGE OF LEROY BOARD OF TRUSTEES

Minutes of Regular Meeting held on

November 15, 2023

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

PRESENT: Mayor Gregory Rogers
Trustee Richard Tetrault
Trustee Raymond Yacuzzo
Trustee James Bonacquisti
Trustee William Kettle
Chief of Police Gregory Kellogg
WWTF Supt. Steven Carroll
DPW Supervisor Robert Lathan
Clerk-Treasurer Eileen Carmel
Municipal Historian Lynne Belluscio

ABSENT: None

OTHERS PRESENT: Laurie Mancuso

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 Yacuzzo to approve the minutes of the Board of Trustees meeting on 11/06/23. It was seconded by Trustee Tetrault and passed unanimously.

CORRESPONDENCE:

NYS DEC Approval of Bob Johnson Sewer Extension: NYS DEC has signed off on the project. The Board had no comments.

Felipe Oltramari, Genesee County Planning Dept.: Offered to assist the Village in updating its Comprehensive Plan. The Board would like to take him up on his offer.

NYS DPS, Winter Assistance Info and Programs: The Dept of Public Service has an outreach and education program to help consumers manage their energy bills while staying warm and safe during the cold weather months. Their dedicated webpage is found at www.dps.ny.gov/winter and the Village will post on its website under the “Residents” tab and on the Clerk’s Facebook page.

DEPARTMENT CONSIDERATIONS:

POLICE:

- Chief Kellogg said the dept. is continuing to deal with drug overdoses in the Village.
- 66 Lake St. is a problem again. Several arrests in the last week, including a reckless driving incident that led to having to tase the driver. Owner, Ryan McDonald, isn’t being particularly helpful. Trustee Yacuzzo said local law requires that rooming houses be owner-occupied but that it’s not a state requirement. We could draft a letter to NYCOM.
- Winter Parking – from Nov. 15 – 30, cars parked in the street will get warnings and Dec 1 the ban goes into effect.
- An update on the vehicle in the Bank St. parking lot – K&W doesn’t have the capability to tow a box truck, so that’s why it’s still in the lot. They’re working on other arrangements.

WWTF:

- Supt. Carroll said good things are happening at the plant and he invites everyone to stop down.
- Closing on Phases 1 and 2 of the project. Electrical will be finished in January. They’ll need to do a system bypass some Saturday, which will require 12 hours of overtime. New buildings are up, the old greenhouse comes down tomorrow.

- Ceiling and lighting in Process Bldg.: this is a winter project discussed with Mayor Rogers and Trustee Yacuzzo that the WWTF employees will be doing. He's getting quotes for the project but expects it to cost around \$6000. The Board is satisfied with this plan.

DPW:

- Sup. Lathan said he got a call from Joseph Alloco at Bob Johnson that NYS DOT won't let anyone tie into the new sewer line until it's turned over to the Village. CPL is firming up any legal issues.
- NYS DOT has also contacted him regarding the Ivy Village housing development at 143 Lake St. They haven't applied for the DOT permit yet and that process takes months.
- He was asked the status of the Mill St. sidewalk issue. He responded that there was a death in the contractor's family which delayed the project and so they're hoping to get it done soon.

HISTORIAN:

- Lynne Belluscio said local photographer John Kucko is selling a 2024 calendar, and a LeRoy Barn Quilt is on the back. [Link to buy the calendar is on the John Kucko Digital Facebook page.]
- On November 12th, the LeRoy Historical Society was presented with the Landmark Society of WNY's 2023 Special Citation for the relocation and restoration of an historic Pump House to the Historical Society's property on East Main St. It was a huge undertaking involving many hardworking consultants, contractors, volunteers, and donors, including a LeRoy Police Dept. escort and the donation of the use of a cherry picker by DPW Sup. Bob Lathan.
- She's been attending the Zoom meetings as the LeRoy representative for the Genesee County Chamber of Commerce's Genesee the Eclipse festivities on April 5-8, 2024, celebrating the once-in-a-lifetime total solar eclipse. She mentioned that every room in the county has been booked for the 3 minute, 42 second event on the 8th. She's working with the Woodward Library to present a program in conjunction with the event.

CLERK-TREASURER:

- Clerk-Treasurer Carmel said it was announced that Genesee County was once again sharing "unanticipated earnings from interest and sales tax proceeds" with municipalities and the Village is slated to receive \$58,008.
- In the Zoning Workshop meeting on 10/3, the Board asked the cost of the garbage contract for the Village. The agreement was for \$179,384 in 2021.
- The next scheduled meetings will be at Village Hall:
 - 12/4/23 – Comprehensive Plan Workshop, 6:30pm
 - 12/20/23 – Regular Meeting, 7:00pm

OLD BUSINESS:

Main & Mill Sidewalk Renov. -Millenium Const., for \$42,955.00: **Trustee Yacuzzo made a motion for a Resolution to Approve Contractor Pay App #2 for Millenium Construction.** It was seconded by Trustee Bonacquisti, and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Kettle – Abstained, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

Main & Mill Sidewalk Renov. -Millenium Const., Change Order #2, Final qty. adjustment: **Trustee Bonacquisti made a motion for a Resolution to Approve Main & Mill Sidewalk Renov. -Millenium Construction, Change Order #2, final qty. adjustment.** It was seconded by Trustee Yacuzzo, and

passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Kettle – Abstained, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

Main & Mill Sidewalk Renov. -Millenium Const., Certificate of Substantial Completion: **Trustee Yacuzzo made a motion for a Resolution to Approve and Authorize the Mayor to sign Millenium Construction’s Certificate of Substantial Completion for the Main & Mill St. Sidewalk Renovation Project.** It was seconded by Trustee Tetrault, and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Kettle – Abstained, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

WWTF – Phase 1, Wind-Sun Construction, Contractor Pay App #29Revised for \$123,212.91: **Trustee Yacuzzo made a motion for a Resolution to Approve Contractor Pay App #29Revised to Wind-Sun Construction for \$123,212.91.** 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 EXTEND 2021 REFUSE AND RECYCLABLES AGREEMENT

MOTION BY: Trustee Yacuzzo

WHEREAS, 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 15, 2021 and the lowest bidder was Waste Management of New York, LLC, and

WHEREAS, the Board of Trustees awarded the bid for the Collection of Refuse and Recycling on March 17, 2021 to Waste Management of New York, LLC, and

WHEREAS, Article 1 of the Agreement for Collection and Disposal of Refuse and Recyclables allows the Board of Trustees to extend the contract for up to a maximum of twelve (12) months, **NOW**

THEREFORE

BE IT RESOLVED the Board of Trustees hereby authorizes the extension of the Agreement for Collection and Disposal of Refuse and Recyclables, retroactive to May 31, 2023, for a twelve-month period to Waste Management of New York, LLC, which will end the last day of May 2024.

SECONDED BY: Trustee Bonacquisti, and on a call of votes:

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

Noes: None

Absent: None

Abstain: None

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NEW BUSINESS:

RESOLUTION TO RELEVY TAXES TO COUNTY

MOTION BY Trustee Yacuzzo

WHEREAS the Village Board of Trustees levied real property taxes against all assessable real property in the village to meet government requirements for the 2023-2024 Fiscal Year, and

WHEREAS, the Village of LeRoy Clerk-Treasurer is submitting a list of unpaid Village Taxes for said year remaining after continued servicing action, **NOW THEREFORE**

BE IT RESOLVED the attached list of delinquent real property taxes, totaling \$92,287.74 be submitted to the Genesee County Treasurer’s Office for relevy and reimbursement to the Village.

SECONDED BY Trustee Bonacquisti

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

Noes: None
Absent: None
Abstain: None
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RESOLUTION 2024 VILLAGE GENERAL ELECTION DATE AND TERMS OF OFFICE

MOTION BY Trustee Yacuzzo

WHEREAS, the Village of LeRoy General Election will be held on Tuesday, March 19, 2024 at Village Hall, 3 West Main Street, LeRoy, NY between the hours of Noon and 9:00 pm; and

WHEREAS, the Board of Trustees must designate by resolution and publish the offices which are to be filed in such election and terms thereof; **NOW THEREFORE,**

BE IT RESOLVED:

Section 1: The Board of Trustees designates the following is being vacant at the end of the current official year, to be filled at the Village election for the following terms:
Mayor and Two (2) Trustees, each four (4) year term.

Section 2: The Village Clerk is hereby directed to publish this resolution in full in the official newspaper.

SECONDED BY Trustee Kettle and on a call of votes:

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

Noes:

Absent:

Abstain:

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Festival Applications:

A motion was made by Trustee Yacuzzo to approve the Festival Application for LeRoy Business Council/FRESH, for WinterFest on Sat. 12/2, 12-5pm. 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.

A motion was made by Trustee Bonacquisti to approve the Festival Application for LeRoy Business Council/FRESH, for Carriage Rides on Sat. 12/2, 1-4pm. 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.

A motion was made by Trustee Tetrault to approve the Festival Application for LeRoy Business Council for First Night Fireworks on Sun. 12/31, 8:30-10pm. 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.

Schedule Public Hearing: **Trustee Bonacquisti made a motion for a Resolution to Schedule a Public Hearing on Dec. 20 at 7pm at Village Hall, 3 West Main St., regarding proposed amendments to the Zoning Code.** 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.

RESOLUTION TO DECLARE POLICE DEPT EQUIPMENT SURPLUS FOR PURPOSE OF DISPOSAL AND TO TRANSFER FUNDS

MOTION BY Trustee Yacuzzo

WHEREAS, The LeRoy Police Department has declared the equipment listed below surplus; and
WHEREAS, the Village of LeRoy requires a surplus declaration of property to be made prior to disposal or sale of equipment; and

WHEREAS, the Police Department desires to use the proceeds from selling the equipment listed below in order to offset the purchase of future equipment needs by placing the proceeds into A895 Police Equipment Reserve;

NOW THEREFORE, BE IT RESOLVED, the LeRoy Village Board hereby authorizes the following declared as surplus for the purpose of disposal:

- Ford Police Interceptor VIN# 2FAHP71V68X177057
- Ford Police Interceptor VIN# 1FM5K8ARXFG33260

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the LeRoy Village Board of Trustees does hereby authorize the transfer of the proceeds from the sale of said equipment to A895 Police Equipment Reserve.

SECONDED BY Trustee Bonacquisti

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

Absent:

Abstain:

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CITIZEN PARTICIPATION: None

OFFICIAL CONSIDERATIONS:

Trustee Bonacquisti: He was very happy to see the crowd on Main Street Saturday night, cheering on the Varsity football team after they won their 16th sectional title and were the only undefeated Class C team.

Trustee Kettle: Congratulations to Jim and the team.

Trustee Tetrault: He asked if they were still doing leaves? DPW Sup. Lathan said yes, they keep chugging along.

Trustee Yacuzzo: Nothing.

Mayor Rogers:

- Kudos to Jim and the football team.
- Phil Tooze passed away. He was a fixture on Main St. and a good friend.
- We have a good start on the Comprehensive Plan.

AUTHORIZATION TO PAY BILLS:

Trustee Bonacquisti made a Motion to Pay Bills, reluctantly, retroactive to 10/18/23. It was seconded by Trustee Tetrault and passed unanimously. Payment is as follows:

General Fund: Auto payments, wire transfers, and check numbers 26454-26503, totaling \$282,486.44
Cap #2 Fund: Check numbers 1217-1220, 1222, totaling \$141,669.55

EXECUTIVE SESSION:

Trustee Bonacquisti made a motion to go into Executive Session for personnel reasons. 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 Chief Kellogg and Clerk-Treasurer Carmel could attend the session. Session was entered at 7:47 PM.

RETURN TO REGULAR SESSION:

Trustee Bonacquisti 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 8:00 PM. Mayor Rogers stated no business was conducted during the Executive Session.

Appointment Full-Time Police Officers: Chief Kellogg requested two part-time Police Officers be approved provisionally for full-time positions. Mayor Rogers appointed William Riley and Selah Martek to the positions of full-time Police Officers. **A motion was made by Trustee Bonacquisti to ratify the Mayor’s appointment of William Riley to full-time Police Officer, provisionally, pending Civil Service approval, at a pay rate of \$36.00/hour effective 11/16/23 and to ratify the Mayor’s appointment of Selah Martek to full-time Police Officer, provisionally, pending Civil Service approval, at a pay rate of \$36.00/hour effective 11/17/23.** 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.

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 8:05pm.

Respectfully submitted,
Eileen Carmel, Clerk-Treasurer