

**VILLAGE OF LEROY BOARD OF TRUSTEES**

Minutes of Special Meeting held on

**November 16, 2022**

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

**PRESENT:** Mayor Gregory Rogers  
Trustee Richard Tetrault  
Trustee Raymond Yacuzzo (joined meeting 6:50pm)  
Trustee William Kettle  
Trustee James Bonacquisti  
Chief of Police Greg Kellogg  
DPW Supervisor Robert Lathan  
Clerk-Treasurer Eileen Carmel  
Deputy Clerk-Treasurer Katie Eick

Absent: WWTF Superintendent Steven Carroll

Others Present: Steve Barbeau, Mitch Cowen, Joe Sherman, one other resident

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

**PUBLIC HEARING:** Proposed Local Law #2 of 2022, Amending Village Law, Chapter 205 Village-Owned Property, 205-2 Time Limits:

**A motion was made by Trustee Kettle to open the public hearing on proposed Local Law #2 Amending Village Law, Chapter 205.** 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 that changing the closing hours of Village-owned property to begin at 9:00pm, unless there’s an event authorized by the Board, they’re hoping to cut down on vandalism in the parks and protect property.

There being no further discussion, **a motion was made by Trustee Bonacquisti to close the public hearing.** 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.

**APPROVAL OF MINUTES:**

**A motion was made by Trustee Bonacquisti to approve the minutes of the Board of Trustees meetings on 10/19/22 and 11/3/22.** It was seconded by Trustee Tetrault and passed unanimously.

**COMMUNICATIONS:**

A letter was received from resident David A. Leight of 17 Saint Mark’s St. regarding the recent “drastic” increase in sewer rates. He included copies of his sewer bills from this quarter and last quarter. Trustee Tetrault stated he felt the same, he has to pay the same as everyone else, and that’s why he got on the Board. Trustee Bonacquisti pointed out that some of the increase in Mr. Leight’s bill was due to 4,000 gal. more usage from the previous quarter and wondered why the difference. It was mentioned that it could be summer usage, leaking pipes, problem with the water meter, etc. Mayor Rogers stated he’d contact Mr. Leight.

**OUT OF ORDER:**

## **CITIZEN PARTICIPATION:**

- Resident Steve Barbeau saw the “New Rates In Effect 11/1/22” at the bottom of his sewer bill and thought that the new rate started 11/1 but wouldn’t get billed at that rate until the next quarter. He stated it wasn’t the amount he had a problem with but how it was applied. He felt there were three possibilities going forward: reinstate the 3000 gal minimum, raise the base and lower the rate, or have two rates (summer and winter).
- Resident and business owner, Joe Sherman, said he felt discriminated against with the sewer billing for his building on Bank Street. Deputy Clerk-Treasurer Eick stated he could request a sewer unit reduction. She gave him an application to fill out to get the process started.

In response, Mayor Rogers stated the Village is looking into long-term funding for the sewer project and attempting to get grants. He asked that everyone please be patient. Trustee Bonacquisti agreed with Trustee Tetrault that everyone on the Board is paying the same as other residents.

## **DEPARTMENT CONSIDERATIONS:**

LPD: Chief Kellogg said the department’s two recruits were in the final stages of training.

DPW: All good.

Clerk: Clerk-Treasurer Carmel said the quarterly sewer bills went out with the new rate increases and nobody was happy, though everyone has been courteous. Deputy Clerk-Treasurer Eick reported that they were still working on getting credit cards. They were given a business application to fill out at first and, as a result, were denied. They now had a municipal application and were working on completing that.

## **OLD BUSINESS:**

ADDED:

Wolcott St. Reconstruction – Certificate of Substantial Completion: Mayor Rogers stated that he spoke with Rick Henry from CPL and he was working with the Village. Trustee Yacuzzo said he still had reservations about the sidewalk issue. **Trustee Kettle made a motion authorizing the Mayor to sign the Certificate of Substantial Completion for the Wolcott St. Reconstruction Project.** It was seconded by Trustee Bonacquisti, and passed with voting as follows: Trustee Tetrault – Nay, Trustee Yacuzzo – Nay, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

WWTF Project Phase 1 Contractor Pay App: **Trustee Yacuzzo made a motion for a Resolution to Authorize Pay App. #9 to Kaplan-Schmidt Electric for \$16,990.75.** 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.

WWTF Project Phase 1 Contractor Pay App: **Trustee Bonacquisti made a motion for a Resolution to Authorize Pay App. #17 to Wind-Sun Construction for \$140,432.23.** 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.

NYS DEC & EFC–Asset Management Program: **Trustee Yacuzzo made a motion for a Resolution to Authorize Mayor Rogers to Sign the Municipal Agreement with the NYS Department of Environmental Conservation and NYS Environmental Facilities Corporation for the Asset Management Program and Assign the Asset Management Team.** 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:**

Letter of Resignation Officer Stawicki: Trustee Bonacquisti made **a motion to accept, with regrets, the resignation of Officer EmmaLee Stawicki, effective November 30, 2022.** 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. All agreed that she would be greatly missed by the community.

Appointment Part-Time Officer: Chief Kellogg asked that this be taken off the agenda.

Resolution to Declare Surplus – 2020 Ford Explorer Police Vehicle: Chief Kellogg requests the 2020 Ford Explorer declared surplus as it was involved in an accident. **Trustee Bonacquisti made a motion for a Resolution to declare the 2020 Ford Explorer surplus, VIN#1FM5K8AB5LGA83995,** 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.

Resolution to Relevy 2022-2023 Taxes to the County

MOTION BY Trustee Kettle

WHEREAS, the Village Board of Trustees levied real property taxes against all assessable real property in the village to meet government requirements for the 2022-2023 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 \$65,709.19, be submitted to the Genesee County Treasurer’s Office for relevy and reimbursement to the Village.

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 for Approval of Budget Adjustments FY 2021-2022: Trustee Yacuzzo made **a motion for a resolution to approve budget adjustments submitted for May 31, 2022 to close out FY 2021-2022.** 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.

Trustee Kettle excused himself from the meeting at this point and left the room.

Restore NY Application-Authorize Letter of Intent: Jeff Smith, President of Municipal Solutions and member of the FRESH Committee of the LeRoy Business Council, spoke concerning the application for the Restore NY program. Restore New York funding is available for projects involving the demolition, deconstruction, rehabilitation and/or reconstruction of vacant, abandoned, condemned and surplus properties. The first step in the application process is for the Village to authorize a letter of intent to be submitted to the NYS Empire State Development Agency. If the letter is favorably received the Village would be invited to submit a full application for funding by January 27, 2023.

Trustee Yacuzzo made a **motion for a Resolution to authorize the mayor to sign a letter of intent for the Restore NY application**. It was seconded by Trustee Bonacquisti, and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

Trustee Kettle returned to the meeting at this point.

Schedule Public Hearing-Site Plan Review and Special Use Permit, 15-17 Main St.: Trustee Yacuzzo made a **motion to schedule a Public Hearing for discussion of a Site Plan Review and Special Use Permit for 15-17 Main St. on December 14<sup>th</sup> at 7:00pm at Village Hall, 3 West Main St.** 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.

Festival Permit: Trustee Kettle made a **motion to approve the Festival Permit submitted by LeRoy Rotary to conduct children’s games in the alley next to the former Smoke Shop, during Winterfest Dec 3<sup>rd</sup>, 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 – Abstained, and Mayor Rogers – Aye.

**ADDED:**

**Trustee Yacuzzo made a motion to adopt Local Law #2 Amending Village Law, Chapter 205.** 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.

**OFFICIAL CONSIDERATIONS:**

Trustee Bonacquisti - Nothing

Trustee Kettle - Nothing

Trustee Tetrault – All’s quiet

Trustee Yacuzzo - Nothing

Mayor Rogers - Wished to thank everyone for their understanding with the sewer bills.

**AUTHORIZATION TO PAY BILLS:**

**A motion to pay bills retroactive to 10/20/22** was offered by Trustee Bonacquisti and seconded by Trustee Kettle and passed unanimously. Payment is as follows:

General Fund – Auto pays and check numbers 25506-25557, 25598 totaling \$392,097.44

Cap #2 Fund – Check numbers 1162-1165, totaling \$298,863.00

**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