

**VILLAGE OF LEROY BOARD OF TRUSTEES**

Minutes of Regular Meeting held on

**December 14, 2022**

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

**PRESENT:** Mayor Gregory Rogers  
Trustee Richard Tetrault  
Trustee Raymond Yacuzzo  
Trustee James Bonacquisti  
Chief of Police Greg Kellogg  
WWTF Superintendent Steven Carroll  
DPW Supervisor Robert Lathan  
Clerk-Treasurer Eileen Carmel  
Deputy Clerk-Treasurer Katie Eick  
Wastewater Operator Andre Carmel

Absent: Trustee William Kettle

Others Present: Chris Shelly, Dustin Beardsley, Nancy Crocker, Bob Taylor

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

**PUBLIC HEARING: Site Plan Review and Special Use Permit, 15-17 Main St.:**

**A motion was made by Trustee Yacuzzo to open the public hearing regarding the Request for a Site Plan Review and Special Use Permit for 15-17 Main St..** 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.

The proposed site plan consisted of leasing the downstairs commercial space to a qualified tenant and a second story residential renovation of 4 units with 2 bedrooms and 1 bathroom per unit. Dustin Beardsley, General Contractor for the project, has been in contact with Jay Beaumont, owner of adjacent property, to discuss parking, trash, and moving a current external second floor entrance. He feels they have worked out these issues. Mayor Rogers and Trustee Yacuzzo felt the lack of parking was the only concern they had. Mr. Beardsley stated they would need 7-8 parking spaces. The Mayor said he was willing to OK the plan with 3 parking spots designated specifically for the tenants. Mr. Beardsley felt that was possible.

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

**APPROVAL OF MINUTES:**

**A motion was made by Trustee Yacuzzo to approve the minutes of the Sewer Board meeting on 11/2/22.** It was seconded by Trustee Tetrault and passed unanimously.

**A motion was made by Trustee Bonacquisti to approve the minutes of the Board of Trustees meeting on 11/16/22.** It was seconded by Trustee Tetrault and passed unanimously.

## **MOVED UP ON AGENDA:**

### **New Business – Electric Supply Pricing Bid Results:**

Chris Shelly from Rodan Energy Solutions, an energy management company, addressed the Board. Mr. Shelly explained his involvement started when he was contacted by WWTF Supt. Carroll. The WWTF was the largest energy user for the Village, though due to the type of generator used at the WWTF, it wasn't a good fit for the program. He said that supply of electrical energy is  $\frac{3}{4}$  of the electrical bill, National Grid is a middleman, and it supplies the Village at a variable rate, which has been swinging widely the last few months and the high costs had concerned Supt. Carroll. Mr. Shelly stated that the bids from their suppliers were at fixed rates that would help the Village gain budget stability for its electrical usage.

After meeting with Mayor Rogers, Trustee Tetrault, and Clerk-Treasurer Carmel and putting the Village's electrical usage out to bid, he received back a variety of bids, but the prices were only "live" for 24 hours. He and the Board discussed the possibilities, depending on the prices and length of the contracts. He also stated that one more company hadn't put in their bid yet and he expected them to be lower than the others.

Trustee Bonacquisti asked "why wouldn't we do this?" Trustee Yacuzzo said there's no proof that we would save with this. He asked about the electrical costs in the last year. Clerk-Treasurer Carmel stated the cost had been up and down. WWTF Supt. Carroll said what triggered his concern was that his electrical budget was used up in six months.

**Trustee Yacuzzo made a motion for a Resolution authorizing Mayor Rogers to make a decision whether or not to accept a bid for Village electrical supply before the bid prices expired the next day.** 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. [After more research, the Mayor chose not to accept an electrical supply bid.]

## **DEPARTMENT CONSIDERATIONS:**

LPD: Nothing other than a couple things later in the meeting.

## WWTF:

- Supt. Carroll gave all Board members a brochure for Thermaer, Thermal Process Systems, something they're looking at for the digester system at the plant.
- The last auction of surplus vehicles, equipment, and furniture netted the Village over \$27,000, including \$2,275 for the big wooden chairs upstairs in Village Hall that were previously considered for scrap. However, a relative of the purchaser was unsatisfied with the quality of some of the chairs (despite not coming to inspect them before bidding/purchase) and has contacted him, Clerk-Treasurer Carmel, and the Mayor, wanting money back. The Mayor said that they bought the chairs, sight unseen, but if he wants to bring the chairs back, let him do it. [The chairs were not returned later.]
- Construction Project – They're looking into the details of Phase 3 now. CPL has listed everything for a total of \$3M. He believes there are many items they can do in-house for much cheaper and believes they can get Phase 3 down to \$1.5M. He wanted to know if they did things in-house, where would the budget for those things come out of, his budget or the project budget.
  - Mayor Rogers stated the next step is they need to find out what CPL is willing to let us take out of contracting. He wants to look into the legalities of the Village paying for the project if the Village owns the buildings and property.

- Supt. Carroll said the water system from Lake St. is operational. We were told the water line across the creek was dedicated but then were told they can't shut it off because there are houses attached to it.
- The new clarifier is complete but not hooked up yet.
- We're 6 weeks behind schedule to complete Phase 1.
- Brian SinClair, the CPL day-to-day project manager has been a godsend, he's knowledgeable, does a good job.

Clerk:

- Clerk-Treasurer Carmel updated the Board on the office situation in Village Hall. Without the approx. 30 wooden chairs that were sold at auction, the three offices were swapped around, allowing for the downstairs office for the Historian.
  - Lynne Belluscio explained that she received confirmation from the state that they could create a consolidated Town and Village Historian position, called the Municipal Historian. Mayor Rogers said he'd reach out to Town Supervisor Farnholtz.
- The next two Board of Trustees meetings were scheduled for January 18 and February 15.

DPW:

- Sup. Lathan said the Bob Johnson car dealership, on West Main Rd. in the Town, wants to tap into the Village sewer system. It would require approx. 4000 ft. of 2" force main. Bob Johnson's engineer also asked if the Village would take over responsibility of the system after it was put in. After a short discussion, it was agreed this wouldn't be in the Village's best interest.

**OLD BUSINESS:**

Special Use Permit 15-17 Main St.: **Trustee Bonacquisti made a motion for a Resolution to approve a Special Use Permit for 15-17 Main St.** It was seconded by Trustee Tetrault, and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo – 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. # 18 to Wind-Sun Construction for \$99,260.99.** 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.

WWTF Project Phase 2 Contractor Pay App: **Trustee Yacuzzo made a motion for a Resolution to Authorize Pay App. #1 to STC Construction for \$66,737.50.** 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.

Public Hearing–RestoreNY Funding: At the request of the **Trustee Yacuzzo made a motion for a Resolution to Schedule a Public Hearing on January 18, 2023 at 7:00 pm at Village Hall, to discuss the Restore NY funding application and Property Assessment List concerning the restoration and repurposing of four historic Main Street buildings.** 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.

Main St. Grant: The Mayor stated that they [Main St. property owners] have been aggressive with the grant applications; however he believes the expensive administration fees, which the Village has been

paying, should be recouped from the people who receive the grant money. He doesn't believe the fees should be paid out of taxpayer money. He plans to call the Conference of Mayors about the situation.

New Fee Schedule for Sewer Tapping: The Sewer Board has recommended a new fee schedule for sewer tapping, including a \$3,000 fee for new ordinary building service connections. **Trustee Bonacquisti made a motion for a Resolution to approve the new Fee Schedule for Sewer Tapping recommended by the Sewer Board.** It was seconded by Trustee Tetrault, and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

Credit Card Agreement/Authorized Officer: **Trustee Bonacquisti made a motion for a Resolution to approve Deputy Clerk-Treasurer Eick to sign a Credit Card Agreement with Five Star Bank and to be the Authorized Officer for the account.** It was seconded by Trustee Tetrault, and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

#### **NEW BUSINESS:**

Letters of Resignation - Officers Steinbrenner and Klafehn: Mayor Rogers said it was with heavy heart that they received resignation letters from full time officers Austin Steinbrenner and Zachery Klafehn. He wished them all the best. Trustee Bonacquisti made **a motion to Accept, with regrets, Austin Steinbrenner's resignation, effective December 9, 2022, and Zac Klafehn's resignation, effective December 14, 2022.** It was seconded by Trustee Yacuzzo, and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

Appointment Alternate Crossing Guard: On the advice of Chief Kellogg, Mayor Rogers appointed John Gugino to the position of Alternate Crossing Guard at a pay rate of \$15.00/hour. Trustee Yacuzzo made **a motion to Ratify the Mayor's Appointment of John Gugino to the position of Alternate Crossing Guard at a pay rate of \$15.00/hour.** It was seconded by Trustee Tetrault, and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

Resolution to Declare Surplus – Police Vehicles: Chief Kellogg requests two police vehicles be declared surplus. **Trustee Tetrault made a motion for a Resolution to Declare Surplus 2014 Dodge Charger, VIN#: 2C3CDXKT1EH351234, and 2016 Ford Explorer, VIN#: 1FM5K8AR1GGB55052.** 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.

#### **CITIZEN PARTICIPATION:**

- Resident Bob Taylor wanted to lodge a complaint about the new sewer rates and said the Christmas tree [the new one placed at the corner of NYS Rts. 5 & 19] wasn't a Christmas tree.
  - **Mayor Rogers stated the owner of the previous Christmas tree had reached out to him and was willing to put the tree up next year.**

#### **OFFICIAL CONSIDERATIONS:**

Trustee Bonacquisti – “Merry Christmas and Go Bills.”

Trustee Yacuzzo - “Merry Christmas and Happy Holidays.”

Mayor Rogers – Winterfest was outstanding!

#### **AUTHORIZATION TO PAY BILLS:**

**A motion to pay bills retroactive to 11/09/22** was offered by Trustee Bonacquisti and seconded by Trustee Yacuzzo and passed unanimously. Payment is as follows:

General Fund – Auto pays, wire pays, and check numbers 25558, 25561-25578, 25580-25597, 25599, 25603-25632 totaling \$466,467.59

Cap #2 Fund – Check numbers 1166-1168, totaling \$159,716.58

**EXECUTIVE SESSION:**

Trustee Bonacquisti made **a motion to go into Executive Session for the purpose of discussing a personnel matter.** It was seconded by Trustee Yacuzzo, and passed with voting as follows: Trustee Tetrault – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye. Mayor Rogers asked that Clerk-Treasurer Carmel and Chief Kellogg attend, as well. Session was entered at 8:24 PM.

**RETURN TO REGULAR SESSION:**

Trustee Yacuzzo made **a motion to Return to Regular Session.** It was seconded by Trustee Bonacquisti, and passed with voting as follows: Trustee Tetrault – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye. Session was entered at 8:49 PM. Mayor Rogers stated no business was conducted during the Executive Session.

Police Appointments:

Mayor Rogers appointed Officer Jordan Wolcott to the position of Police Sergeant and appointed Officer James Prusak to the position of Police Detective. **Trustee Bonacquisti made a motion for a Resolution to ratify the Mayor’s appointment of Jordan Wolcott as Police Sergeant, and as stated position shall take effect on January 20, 2023, provisionally and contingent upon Civil Service regulations at a rate of \$30.72/hr.** It was seconded by Trustee Tetrault, and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye. **Trustee Bonacquisti made a motion for a Resolution to ratify the Mayor’s appointment of James Prusak as Police Detective, and as stated position shall take effect on January 20, 2023, provisionally and contingent upon Civil Service regulations at a rate of \$30.71/hr.** It was seconded by Trustee Yacuzzo, and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo – 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 8:52pm.

Respectfully submitted,  
Eileen Carmel, Clerk-Treasurer