

## VILLAGE OF LEROY BOARD OF TRUSTEES

Minutes of Regular Meeting held on

**February 23, 2022**

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

**PRESENT:** Mayor Gregory Rogers; Trustees James Bonacquisti, Raymond Yacuzzo, and Richard Tetrault; Chief of Police Gregory Kellogg; Clerk-Treasurer Eileen Carmel; Guests Eric Biscaro, Megan Hensel, and Rocky; residents Bill Lambert and Joe Sherman.

Trustee Bill Kettle, WWTF Supt. Steve Carroll and DPW Sup. Robert Lathan were excused.

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

**GUEST PRESENTATION:** Eric Biscaro walked the Board through his proposed plans to construct a 30 patio home (60 unit) senior development at 143 Lake St. in the village. This will be different from last year's proposed East Avenue project as this doesn't include single family lots or building a road and the property is already zoned R-3, therefore no PUD is required. The curb is already cut and it's on a state road. He explained he would be going for a PILOT program through GCEDC, that no one would attempt a project like this without a PILOT. The pond on the preliminary drawing may or may not stay on the plan. All construction would be done to building codes, etc.

Trustee Yacuzzo explained he had once owned that piece of property and was very familiar with it. In fact, he'd planned to do something similar at one time, only with single family homes. He asked Biscaro if he would have surface run-off instead of storm sewers and the developer agreed that was the case and Trustee Yacuzzo he'd probably need the pond. The water way goes west.

Trustee Kettle was unable to attend the meeting but Trustee Yacuzzo believed his issue was with offsetting village expenses and the proposed plan doesn't have that problem.

A SEQR will be required.

Trustee Bonacquisti asked what would be done about the borders of the property. Biscaro answered that there was some drop down on the property and they may need to add bushes, obviously, they'd be short at first but would grow.

Trustee Tetrault asked if they could get an aerial photo of the area and if they would need to involve the Fire Dept. as they required an emergency exit on the previous project? Biscaro responded that no emergency exit exists for this because this doesn't have through traffic like on East Ave. He explained there would be a 20 foot roadway, the same as a county road and each driveway was double-wide.

Trustee Bonacquisti asked what would be the next step? Biscaro said he needed the Board to agree with the project before he puts any money into this. Trustee Bonacquisti said yes to the plan, stating the county is calling for it and the village needs it. Trustee Yacuzzo said yes, he likes this property for such a project. Trustee Tetrault said he had no problem with it.

Mayor Rogers asked resident and Trustee candidate Bill Lambert what he thought of the proposal and Mr. Lambert said it seemed like a good idea. Seniors need a place to go after selling their properties, which would be good for new families to move in.

Mayor Rogers said he believes Trustee Kettle would have a different outlook on this plan than the previous proposed project. As the village has no money in this, he believes Trustee Kettle would be ok with it. He, himself, believes this is a better project for Biscaro.

Biscaro will present his plan to the County Planning Board, then the Town Planning Board, and then it will come back to the Village Board for the SEQR. Mayor Rogers said he'd check to see whether a public hearing was required.

**APPROVAL OF MINUTES:** A motion was offered by Trustee Yacuzzo to approve the minutes of the Board of Trustees meetings dated January 19 and February 7, 2022, and to accept the Sewer Board meeting minutes dated January 27, 2022 with one correction: in the Sewer Board minutes, Trustee Yacuzzo did not help with the Lapp Insulator meter, his company helped another company in Rochester with something similar. He asked that the line be taken out of the minutes. The motion, with correction, was seconded by Trustee Bonacquisti and passed with voting as follows: Trustees Bonacquisti, Tetrault, Yacuzzo, and Mayor Rogers – all Aye.

**COMMUNICATIONS:**

Final GRT Settlement Update – all the municipalities involved have received Settlement and Release Agreements and checks from the net proceeds of the settlement pool. Computel has monitored NYSEG and RG&E filings with the Public Service Commission and they are complying with their settlement obligation to begin collecting and paying the local GRT on “delivery only” revenue going forward and will be included in local GRT payments going forward effective February 1, 2022. This completes Computel’s NYSEG and RG&E GRT audits.

Public Service Commission invites public to comment on the Broadband Public Assessment Program – regarding the availability, affordability, and adoption of residential and commercial broadband internet access services in NY state. They’ve set up eight virtual public statement hearings to obtain public input. Mayor Rogers stated he’d discuss with the Town Supervisor.

**DEPARTMENT CONSIDERATIONS:**

LeRoy Police Dept.:

- All was good.

Clerk & Treasurer:

- Sewer billing went out at the beginning of the month and the office fielded a number of questions and complaints. Many properties have sold in the village and this required separating the sewer billing between previous and new owners. This included properties with business tenants who’s information hadn’t been updated in the sewer billing program, which made it a complicated and time-consuming process to separate.

**OLD BUSINESS:**

WWTF Project – Trustee Yacuzzo made a motion for a **Resolution to Authorize Pay Application #6 to Kaplan-Schmidt Electric, Inc. for \$82,365.00**. It was seconded by Trustee Tetrault and passed with voting as follows: Trustees Bonacquisti, Tetrault, Yacuzzo, and Mayor Rogers – all Aye.

WWTF Project – Trustee Tetrault made a motion for a **Resolution to Authorize Pay Application #7 to Wind-Sun Construction, Inc. for \$168,786.14**. It was seconded by Trustee Bonacquisti and passed with voting as follows: Trustees Bonacquisti, Tetrault, Yacuzzo, and Mayor Rogers – all Aye.

WWTF Project – Trustee Yacuzzo made a motion for a **Resolution to Authorize Pay Application #8 to Wind-Sun Construction, Inc. for \$49,210.95.** It was seconded by Trustee Bonacquisti and passed with voting as follows: Trustees Bonacquisti, Tetrault, Yacuzzo, and Mayor Rogers – all Aye.

Snow and Ice Agreement with NYS - Correction from the last meeting, should have been Agreement **#2.**

**RESOLUTION TO AMEND AND APPROVE THE SNOW AND ICE AGREEMENT  
CONTRACT SUPPLEMENTAL AGREEMENT NO. 2 TO CONTRACT NO. D014780 WITH  
NEW YORK STATE**

MOTION BY: Trustee Yacuzzo

WHEREAS, the Board of Trustees of the village of LeRoy, New York on February 23, 2022, enacts a resolution to amend and approve the Snow and Ice Supplemental Agreement No. 2 to Contract No D014780 between the State of New York and the village of LeRoy for snow and ice control, for the 2021-2022 season, in the amount of \$38,064.32.

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

**NEW BUSINESS:**

Set Dates/Times for Budget Meetings with Dept. Heads – as two department heads were unable to attend this meeting, budget meetings were not set up at this time.

Mayor Rogers added the following to New Business:

Appointment to the Zoning Board of Appeals – Mayor Rogers appointed Joe Spadaro to the Zoning Board of Appeals. Trustee Bonacquisti made a motion to ratify the Mayor’s appointment of Joe Spadaro to the Zoning Board of Appeals. It was seconded by Trustee Yacuzzo and passed with voting as follows: Trustees Bonacquisti, Tetrault, Yacuzzo, and Mayor Rogers – all Aye.

**CITIZEN PARTICIPATION:** Joe Sherman, property owner of 1-3 Bank St., asked why he receives a sewer bill for an empty unit that isn’t using water. Trustee Yacuzzo explained that the minimum sewer charge pays for the capital expense of the sewer system and anything above that is the usage charge. The law says you still have to pay the minimum, whether you use the unit or not. Mr. Sherman was satisfied with that answer.

When they have the next Sewer Board meeting, they will be discussing an audit of the whole sewer system. Mayor Rogers said he would also contact Ken Pike at the county Assessor’s office.

**OFFICIAL CONSIDERATION:**

Trustee Yacuzzo

- Parking problem on Lake St. during the Pop Up Pantry free food distribution sponsored by LeRoy Rotary Community Kitchen and Foodlink located at the former Holy Family School building. Residents have a hard time getting out of their own driveways due to the huge amount

of traffic and people parking their cars too close to the resident's driveways. According to Chief Kellogg, the LPD posts several officers during the monthly events for crowd and traffic control, which attracts hundreds of people. Discussion about possible solutions included putting up an informational sign to leave room on either side of driveways, leaving informational handouts, no parking signs, and suggesting an alternate location for future events.

Trustees Bonacquisti and Tetrault and Mayor Rogers – nothing to share.

**EXECUTIVE SESSION:**

Motion to go into executive session for personnel reasons was made by Trustee Bonacquisti and seconded by Trustee Tetrault and passed with voting as follows: Trustees Bonacquisti, Tetrault, Yacuzzo, and Mayor Rogers – all Aye. Mayor Rogers asked that Chief Kellogg and Clerk-Treasurer Carmel attend this session. Session entered at 8:03 pm.

**REGULAR SESSION:**

Trustee Bonacquisti offered a motion to go back into regular session, seconded by Trustee Yacuzzo and passed with voting as follows: Trustees Bonacquisti, Tetrault, Yacuzzo, and Mayor Rogers – all Aye. Session entered at 8:50pm. No action taken during executive session.

**AUTHORIZATION TO PAY BILLS:**

A motion to pay bills retroactively to February 7, was offered by Trustee Bonacquisti and seconded by Trustee Yacuzzo and passed unanimously. Payment is as follows:

General Fund – Auto pay and check numbers 24331, 24847 - 24909, totaling \$204,741.63

Cap #2 Fund – Check numbers 1141 – 1144, 1146, totaling \$301,935.09

There being no further business before the Board, a motion was offered by Trustee Tetrault to adjourn, seconded by Trustee Bonacquisti and passed unanimously.

Meeting adjourned at 9:00pm.

Respectfully submitted,  
Eileen Carmel, Clerk-Treasurer