

REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES

7/21/2021

A REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES WAS HELD ON JULY 21, 2021, BOARD ROOM, VILLAGE HALL.

PRESENT: Mayor Gregory Rogers; Trustees James Bonacquisti, William Kettle, Richard Tetrault, Raymond Yacuzzo; Clerk-Treasurer Eileen Carmel; Chief of Police Greg Kellogg; DPW Supervisor Bob Lathan; STP Maintenance Operator Andre Carmel; four citizens.

Mayor Rogers called the meeting to order at 7:00 pm and asked everyone to stand and recite the Pledge of Allegiance.

PUBLIC HEARING – Motion by Trustee Yacuzzo to open the public hearing of Local Law #4 of 2021, concerning Nuisance Properties, seconded by Trustee Kettle. No further discussion offered. On a call of votes: Trustee Bonacquisti – Aye, Trustee Kettle – Aye, Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Mayor Rogers – Aye, carried.

This is a local law concerning nuisance properties, holding landlords and property owners accountable for their property and their tenants. Chief Kellogg said this law would help when dealing with some properties which have become a consistent, daily problem for the Police Dept., such as boarding homes. They hold the tenants accountable but there's some things the property owners can do as well, such as vetting prospective tenants. The Code Enforcement Office will initiate that process after law enforcement input. Chief Kellogg mentioned possibly meeting with a property owner to discuss concerns, explain the new law, and try to work out the situation. With this law, there will be measures in place that, if needed, we can take. We have a form on our website for landlords to take advantage of, which includes a law enforcement background check which the prospective tenant signs off on.

After no comment was made by the public, a motion was offered by Trustee Tetrault to close the public hearing and seconded by Trustee Bonacquisti. On a call of votes: Trustee Bonacquisti – Aye, Trustee Kettle – Aye, Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Mayor Rogers – Aye, carried.

APPROVAL OF MINUTES – A motion was offered by Trustee Bonacquisti to approve the minutes of the Board of Trustees dated June 16, 2021 as previously printed and presented. Seconded by Trustee Kettle and on a call of votes Trustee Bonacquisti – Aye, Trustee Kettle – Aye, Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Mayor Rogers – Aye, carried.

COMMUNICATIONS:

NYS Division of Budget (re: ARPA Coronavirus Local Fiscal Recovery Fund) – Award \$435,145.00 – Mayor Rogers stated Eileen Carmel submitted the paperwork for this COVID relief. He hoped that some of that money could go toward fixing the wading pool at Wildwood Park. Trustee Yacuzzo commented that amount is awarded in two installments.

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NYS Parks & Recreation – Historic Nomination of St. Mark’s Church and Cemetery - From here it goes on to the federal to see if it makes it to the National Registry.

NYS Department of Public Service – Project – Long Island, NY – this was an announcement of a public statement hearing for July 7 on Long Island. Board not sure why they were given this paperwork.

DEPARTMENT CONSIDERATIONS:

Chief Kellogg – Police Department is “all good.”

Andre Carmel spoke on behalf of the Sewer Treatment Plant:

- Regarding the current construction project, they had a slow start but now have the water line bypass. They are digging for the clarifier and have about four foot of bedrock to chip through.
- When asked about what kind of flow they had with the recent rains, he said that on Saturday they had about 2 million gals/day, the system slowed down, with a lot of debris and grease going through but this was different from previous rain events where they experienced problems and “we’re making progress.”

Bob Lathan – DPW is “all good.”

Ron Pangrazio, Town Councilman:

- Town Council meeting on July 8 – there was Public Hearing on zoning change for Route 19, then, a solar project on Dick Prinzi’s property on Route 5, Steve Barbeau appointed to the ZBA as a non-voting Chairperson due to a vacancy, the Pool purchased an AED defibrillator, the official resignation of one of the Town Justices which was accepted, and a rep from Green Spark Solar regarding solar insulation at the Town Dump and writing a non-binding letter of intent to look into it further.

OLD BUSINESS:

- a. Motion by Trustee Kettle to adopt a resolution for the Nuisance Law as Local Law #4 of 2021 and it was seconded by Trustee Bonacquisti. On a call of votes: Trustee Bonacquisti – Aye, Trustee Kettle – Aye, Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Mayor Rogers – Aye, carried.
- b. Mayor Rogers officially appointed Greg Kellogg as Chief of Police and congratulated him. The board and public gave him a round of applause.
- c. Resolution to authorize Pay Grade Level – James Prusak. Chief Kellogg commented that Ofc. James Prusak was hired for a full-time position at the last board meeting but they never discussed a pay raise. He asked for the 2 year step because Prusak has six years of law enforcement experience. Trustee Bonacquisti made a motion to begin Ofc. Prusak at the two year level pay grade as of 7/19/2021. It was seconded by Trustee Yacuzzo. On a call of votes: Trustee Bonacquisti – Aye, Trustee Kettle – Aye, Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Mayor Rogers – Aye, carried.

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- d. Resolution Wolcott St. Reconstruction – Change Order #1. This is about lining the pipes rather than replacing them. Motion by Trustee Yacuzzo and seconded by Trustee Tetrault. On a call of votes: Trustee Bonacquisti – Aye, Trustee Kettle – Aye, Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Mayor Rogers – Aye, carried.

WOLCOTT STREET RECONSTRUCTION, CHANGE ORDER 1

MOTION BY Trustee Yacuzzo

WHEREAS the Board of Trustees authorized and received bids for Wolcott Street Reconstruction and the low bidder for the project was Villager Construction, Inc. with total combination of the Base Bid and the Alternate Bid in the amount of \$2,642,000.00, which is higher than the construction cost estimate of \$2,260,000, and

WHEREAS, the complete replacement of the sanitary sewer as-bid prices came in much higher than expected, contributing to the high construction costs, and

WHEREAS, through multiple discussions with Villager Construction, it would be beneficial to remove the sanitary sewer replacement, manhole replacement and sanitary lateral replacement from the contract, and

WHEREAS, the removal of the sanitary sewer replacement, etc. would provide a contract deduct of \$434,500, and

WHEREAS, in its place a cured-in place liner will be installed instead of a complete replacement of the sanitary sewer, the project will save a total of \$307,900.00, NOW THEREFORE

BE IT RESOLVED the Board of Trustees hereby authorizes Change Order No. 1 for the Reconstruction of Wolcott Street that will remove the sanitary sewer replacement, manhole replacements and sanitary lateral replacement from the contract, and

BE IT FURTHER RESOLVED, by installing a cured-in place liner instead of a complete replacement of the sanitary sewer, the project will save a total of \$307,900.00, the total contract with Villager Construction \$2,334,100.00.

SECONDED BY TRUSTEE Tetrault

- e. Trustee Yacuzzo offered a motion to accept contract change orders for the WWTF project which were no cost change orders to incorporate up-to-date Davis Bacon federal wage rates for Heavy Construction in accordance with the bid date and the 10 day rule. The motion was seconded by Trustee Kettle. On a call of votes: Trustee Bonacquisti – Aye, Trustee Kettle – Aye, Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Mayor Rogers – Aye, carried.

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- f. Upon recommendation of the engineers, CPL, a pay application was received for the Wolcott Street Reconstruction project and a motion was offered by Trustee Yacuzzo and seconded by Trustee Bonacquisti to approve said application to Villager Construction. On a call of votes: Trustee Bonacquisti – Aye, Trustee Kettle – Aye, Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Mayor Rogers – Aye, carried.
- g. Upon recommendation of the engineers, CPL, pay applications were received for the WWTF project and a motion was offered by Trustee Yacuzzo to approve said applications and seconded by Trustee Tetrault. On a call of votes: Trustee Bonacquisti – Aye, Trustee Kettle – Aye, Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Mayor Rogers – Aye, carried.
- h. Resolution New Build Plans – Trustee Yacuzzo explained that since the Town took it over, they were referring all plans for construction within the village to a Code Enforcement Officer and charging \$600 for plan review. If we have stamped plans from either a licensed architect or licensed engineer, its duplicating efforts and they're not in a position to override either one of those licensees. So, what we're doing is saving someone building in the village a \$600 nuisance fee. Since we have combined Code Enforcement in Town and Village, we can direct them to skip over that for village applicants. On a call of votes: Trustee Bonacquisti – Aye, Trustee Kettle – Aye, Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Mayor Rogers – Aye, carried.

*RESOLUTION REGARDING THE REVIEW OF PLANS FOR NEW RESIDENTIAL
BUILDS WITHIN VILLAGE LIMITS*

WHEREAS the Village of LeRoy and Town of LeRoy have a joint Code Enforcement Office; and

WHEREAS, among other tasks, the Code Enforcement Office reviews the applications and plans for new residential builds within Village limits; and

WHEREAS, the Village Board desires to amend the process whereby a constituent applies for a new residential building permit; and

WHEREAS, the Village Board, after due deliberation and consideration, adopts the following resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of LeRoy hereby affirms that, for residential builds within Village limits, it views drawings that are stamped by a licensed architect, or professional engineers, as sufficient, it need not render any further review for residential builds within Village limits; and

BE IT FURTHER RESOLVED, that, in the event the Code Enforcement Office finds the stamped architectural renderings, or professional engineer renderings, sufficient, it need not render any further review for residential builds within Village limits; and

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BE IT FURTHER RESOLVED, that neither the Town nor the Code Enforcement Office is authorized to charge the applicant the additional plan review fee of \$600.00 for residential builds within Village limits; and

BE IT FURTHER RESOLVED, that the Village indemnifies and holds the Town, Code Enforcement Office, and Code Enforcement Officers harmless from any liability involved in removing this additional plan review process; and

BE IT FURTHER RESOLVED, that nothing herein shall limit or reduce the obligation of the Code Enforcement Office and its Officers to complete a thorough review of any and all building plans presented by constituents.

MOTION BY Trustee Yacuzzo

SECONDED BY Trustee Bonacquisti

And on a call of votes: Resolution carried unanimously.

NEW BUSINESS:

- a. A motion was made by Trustee Kettle to approve the Historical Society Barbecue on 9/19/2021, with proper signatures. It was seconded by Trustee Tetrault. On a call of votes: Trustee Bonacquisti – Aye, Trustee Kettle – Aye, Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Mayor Rogers – Aye, carried
- b. A motion by Trustee Bonacquisti was made to authorize the Clerk-Treasurer to advertise for bids for sidewalk repair. It was seconded by Trustee Yacuzzo. When Mayor Rogers asked which streets, Lathan said it would be random but probably Gilbert as he has recently seen the bad conditions there. Mayor Rogers asked about the corner of Mill and Main Streets. Clark Patterson is still working on plans. Trustee Yacuzzo suggested looking at the south side of Main Street, in front of Mike Welsh's office. Mayor assumed RG&E would replace the sidewalks they dug up. Lathan agreed. On a call of votes: Trustee Bonacquisti – Aye, Trustee Kettle – Aye, Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Mayor Rogers – Aye, carried
- c. Housekeeping – SEQR and Storm Water Remediation Plan is finished for East Avenue. On August 2 at 7PM, we'll have a workshop dealing with just the SEQR and then a Public Hearing at our meeting on August 18 at the High School Auditorium. After the August 2nd meeting, the Mayor plans to meet with individuals who have voiced concerns about the project – Tom and Charity Condidorio, Tom Frew, Ron Pangrazio, Jim Gombrone, Jerry Robinson, and anyone else deemed necessary.

CITIZEN PARTICIPATION – Mayor Rogers thanked Tom Spadaro and Nancy Crocker for coming.

OFFICIAL CONSIDERATIONS:

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Trustee Bonacquisti – where are we with 18 Genesee Street? Mayor Rogers said the owners are in the process of selling and they've been approached by a potential buyer. Code Enforcement has written citations. Trustee Bonacquisti mentioned there's a possibility that renters could get booted out if they don't get federal money. Mayor said the owners haven't gotten federal money in the last three years because of the condition of the property so it's a Catch-22. It has to get sold.

Trustee Tetrault – has heard complaints about the trees in the village, some dying and some need trimming. Do we have a plan? Bob Lathan said we have a list and we work through it, to our budget, as best we can. The Mayor said we're doing a real good job with the streets and sidewalks but now we're going to have to invest in some more trees. We'll need to budget for it, particularly for Wolcott Street.

Trustee Yacuzzo – this is more for Eileen regarding all the paperwork in the Board packets this meeting. Most of the labor specs, etc., are for the engineers and we don't need them. Trustee Kettle added that we discussed scanning and emailing the documents for the Board after this.

Mayor Rogers – on that note I'm highly optimistic that we'll come up with other efficiencies with Eileen and different things we can do business on a lot of different levels.

Motion to pay bills by Trustee Bonacquisti and seconded by Trustee Kettle. On a call of votes: Trustee Bonacquisti – Aye, Trustee Kettle – Aye, Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Mayor Rogers – Aye, carried

General Fund – check numbers 24216 – 24278, totaling \$144,042.24

Mayor Rogers thanked everyone for coming to the meeting.

A motion to go into Executive Session for personnel reasons at 8:05pm by Trustee Bonacquisti, seconded by Trustee Yacuzzo. On a call of votes: Trustee Bonacquisti – Aye, Trustee Kettle – Aye, Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Mayor Rogers – Aye, carried. Mayor Rogers asked that just the Board attend this session. Session entered at 8:10 pm.

Trustee Yacuzzo offered a motion to go back into regular session at 8:30pm, seconded by Trustee Bonacquisti. No action was taken during executive session.

ADJOURN – There being no further business a motion was offered by Trustee Kettle to adjourn, seconded by Trustee Bonacquisti and on a call of votes Trustee Bonacquisti – Aye, Trustee Kettle – Aye, Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Mayor Rogers – Aye, carried. Meeting adjourned at 8:50 pm.

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Respectfully submitted,

Eileen Carmel,
Clerk-Treasurer