

**VILLAGE OF LEROY
BOARD OF TRUSTEES
SEPTEMBER 15, 2021**

CALL TO ORDER: 7:00 pm

Pledge of Allegiance

1. APPROVAL OF MINUTES

- a. Village Board – March 17, and August 18, 2021

2. COMMUNICATIONS:

- a. Mike Canton, Computel, Gross Tax Receipts, RG&E Info
- b. NYS Division of Budget – COVID Recovery Fund – Additional Allocation - \$1,776.60.
- c. Wolcott Street Project – Resident Appreciation
- d. Historic Registry – St. Mark's Episcopal Church & Cemetery

3. DEPARTMENT CONSIDERATIONS:

4. OLD BUSINESS:

- a. Resolution to Authorize Payment No. 3 – Wolcott Street, Villager Construction: \$734,569.87
- b. Resolution to Authorize Payment WWTP – Payment No. 2 Kaplan-Schmidt Electric: \$45,523.05
- c. Resolution to Authorize Payment WWTP – Payment No. 3 Wind-Sun Construction: \$142,930.35
- d. Resolution to Award Sidewalk Replacements
- e. Resolution to Authorize Removal of Sewer Charges – 5 North St.

5. NEW BUSINESS:

- a. Request LeRoy School – Additional Crossing Guard – Jr/Sr High
- b. Letter of Resignation – Eric Miller
- c. Declare Surplus Equipment – Police Glock Pistol (transfer to Eric Miller) and 2013 Ford Explorer Police Car
- d. Request to Purchase Police Sedan
- e. Resolution to Approve Accounting Services with Starowitz
- f. Request for Sewer Reduction – LeRoy Central School

6. CITIZEN PARTICIPATION:

7. OFFICIAL CONSIDERATIONS:

- a. Trustee Bonacquisti
- b. Trustee Kettle
- c. Trustee Tetrault
- d. Trustee Yacuzzo
- e. Mayor Rogers

EXECUTIVE SESSION:

8. AUTHORIZATION TO PAY BILLS:

Most everyone on this email list should have recently received a copy of the email below, sent to my attorney Tom Knab, regarding the ongoing dispute we have with NYSEG and RG&E over their lack of GRT payment on a significant portion of their revenue in your municipalities. If not, I'm providing it now for your information. Attached to that email was a letter from NYSEG and RG&E General Counsel Jeffrey Rosenbloom (copy attached). While much of that letter was a rehash of the Companies' position, as well as familiar threats regarding potential litigation, it does represent a sign of progress that Mr. Rosenbloom finally indicated that he is prepared to discuss a reasonable settlement.

To be clear, for several years now, in conjunction with NYCOM, we have tried to engage NYSEG and RG&E in settlement negotiations. They have consistently refused to do so. We now appear to have the opportunity to see just how serious they are about reaching a comprehensive resolution to these matters. We intend to enter negotiations with Mr. Rosenbloom with the goal of reaching the best possible settlement without further delay.

I believe that we have only reached this stage as a result of the pressure all of your municipalities have brought to bear on NYSEG and RG&E to address these matters. Their strategy has been to make this a dispute between them and each individual municipality. By sticking together, you've been able to maximize the leverage local governments have in this situation.

Finally, although the letters of authority we've been given by each of you authorize us to negotiate a settlement of GRT underpayment claims, we are not authorized to sign a settlement agreement on your behalf. At the end of this process, we hope to reach a settlement we can recommend to you. However, executing a settlement agreement will be up to each individual municipality.

Thank you for your patience and determination. As always, feel free to contact me with any questions and please let me know if you hear directly from the Companies regarding these matters.

Mike Caton

Michael T. Caton
Principal
Computel Consultants
PO Box 35
Earlville, NY 13332
Cell: (315) 723-7758

On 5/19/2021 4:40 PM, Mistretta, Andrea wrote:

Dear Mr. Knab,

This e-mail is being sent on behalf of Jeffrey Rosenbloom, General Counsel NYSEG and RG&E. Please see the attached letter.

Thank you,
Andrea



Andrea Mistretta
Paralegal

89 East Avenue, 9th Floor
Rochester, New York 14649
Telephone 585-724-8911



May 19, 2021

BY E-MAIL

Mr. Thomas F. Knab, Partner
Underberg & Kessler, LLP
50 Fountain Plaza, Suite 320
Buffalo, New York 14202
tknab@underbergkessler.com

Re: Gross Receipts Tax

FOR SETTLEMENT PURPOSES ONLY

Dear Mr. Knab:

As you are likely aware, New York State Electric & Gas Corporation and Rochester Gas and Electric Corporation (the "Companies") have received Notice of Deficiency letters from a number of municipalities related to the audits of prior year Gross Receipts Tax (GRT). The letters allege failure of the Companies to pay GRT associated with delivery service revenue where customers have purchased their electricity or gas commodity from an energy services company ("ESCO"). The Companies have responded to these letters and requested a hearing to dispute the allegations that prior years' GRT is owed. At this time, the municipalities have communicated that a hearing is premature.

The Companies have been instructed by you and the municipalities to include Michael Caton from Computel on all future correspondence. As Computel is represented by counsel, this letter is directed to you. However, as we understand it, the municipalities are not represented by your firm. Therefore, to ensure the municipalities are made aware of the history of this issue and the Companies' position, I am sending a copy of this letter to the municipalities that have sent the Companies a Notice of Deficiency.

The Companies do not wish to engage in adversarial litigation with the municipalities. The Companies have always viewed the municipalities in our service territories as partners and important stakeholders. Most importantly, residents of the municipalities are our customers and we have a vested interest in protecting the interests of customers and residents. Unfortunately, the path chosen by Computel and the municipalities that are following Computel's direction, will lead to time consuming and expensive litigation. Litigation will be between the Companies and the municipalities in the form of administrative hearings and Article 78 proceedings. Not only will the costs of litigation be borne by the municipalities (unless Computel has agreed to finance any litigation costs), but the risks associated with litigation will also be on the shoulders of the municipalities.

If the Companies are forced to litigate this issue and are successful, the municipalities will not receive any alleged back taxes owed, and they will also lose the opportunity to realize GRT revenue associated with utility delivery only service revenue on a going forward basis. This is the case, not



only for the municipal clients of Computel, but potentially could impact all villages and cities across the state that currently are paid the GRT on utility delivery only revenue from other utilities in New York. The Companies have never sought such an outcome.

In fact, in 2019, the Companies modified their Tariffs to allow collection of the GRT on a going forward basis. The Companies did so for several reasons. Prior to the revisions, the Tariffs specifically excluded this type of transportation service from the GRT and as you may know, a utility Tariff filed and accepted by the Public Service Commission has the force of law in New York. Additionally, as community choice aggregation becomes more popular, more customers may be purchasing their electric and gas requirements from ESCOs, which would have the impact of reducing GRT payments to the municipalities in the Companies' service territories. To be clear, however, the Companies did not modify their Tariffs because their legal interpretation or position had changed.

The law, including the municipalities' own codes, all are clear that the imposition of the GRT is not authorized on any transaction originating or consummating outside of the territorial limits of any municipality, notwithstanding that some act be necessarily performed with respect to such transaction within such limits. This prohibition has long been recognized and has been noted by ESCOs in outreach to their customers who experience lower bills by avoiding the gross receipts tax. In fact, the model ESCO customer contract found on the website of the New York State Public Service Commission makes it clear that the point of sale for customers purchasing gas or electricity from the ESCO occurs outside the municipality where the customer resides. As a result, the delivery service provided by the Companies necessarily originates outside of the municipal boundaries where the customer resides.

While the Companies are confident in their position, we recognize that litigation is uncertain and creates risk. Additionally, a successful litigated result for the Companies is a hollow victory because the Companies do not desire to cause the State's cities and villages to lose the opportunity to realize important revenue. Therefore, the Companies believe this important issue is best resolved by a reasonable settlement that allows the cities and villages in the Companies' territories to impose the GRT if they desire on a going-forward basis, while also recognizing the risk and implications of a litigated outcome.

The Companies understand that you are counsel to Computel, and Computel represents ninety-one municipalities. Please confirm that Computel is authorized to negotiate on behalf of all of its municipal clients and that if a settlement reached that all of Computel's clients will enter into a settlement and release agreement. If this is confirmed, the Companies are prepared to discuss a reasonable settlement with your client and the municipalities.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeffrey A. Rosenbloom".

Jeffrey A. Rosenbloom
General Counsel

Local ARPA Notification: Subsequent Distribution and Allocation

dob.sm.localarpa <dob.sm.localarpa@budget.ny.gov>

Mon 8/23/2021 3:04 PM

To: Eileen Carmel <ecarmel@villageoferoy.org>



**Division of
the Budget**

ANDREW M. CUOMO
Governor

ROBERT F. MUJICA JR.
Director of the Budget

August 23, 2021

Eileen Carmel
Deputy Clerk
Village of Le Roy
3 West Main Street
Le Roy, NY 14482

Thank you for submitting your request to receive funds from the ARPA Coronavirus Local Fiscal Recovery Fund on behalf of your local government.

The American Rescue Plan Act and United States Department of the Treasury guidelines provide that any "remaining funds" from any "non-responsive" municipalities should be distributed among the responsive municipalities in a "subsequent distribution." In New York State, very few municipalities were non-responsive.

As such, your municipality will receive an additional allocation of **\$1,776.60**. This brings your total allocation to **\$436,921.76**. By Summer 2022, this allocation will have been made in the following payment amounts, the first of which you may have already received:

- **First 50% of main allocation (Summer 2021): \$217,572.59**
- **First 50% of additional allocation (Summer 2021): \$888.30**
- **Second 50% of main allocation plus second 50% of additional allocation, combined (Summer 2022): \$218,460.87**

As with the initial payment, funds will be disbursed by the Office of the New York State Comptroller (OSC) electronically, using your municipality's existing banking information from the New York State Vendor File. You should have received instructions from OSC about how to confirm and provide any necessary updates/corrections of that information. If your municipality did not receive the initial payment electronically from the State, you should have received instructions from OSC for adding banking information to allow your municipality to receive these payments electronically. If you need further assistance, please contact epayment@osc.ny.gov. In addition, please be advised of the following:

- **Retain NEU Recipient Number.** You must retain your NEU Recipient Number as an identifying number for the lifecycle of this program, including for reporting purposes. As a reminder, your NEU Recipient Number is: **NY1812**
- **Review Federal Reporting Requirements.** The Federal Government has established usage and reporting requirements for these funds. NEUs should visit the United States Department of Treasury website: <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/state-and-local-fiscal-recovery-funds/recipient-compliance-and-reporting-responsibilities>
- **Register on SAM.gov.** In order to receive funds your municipality must not be excluded or disqualified from SAM.gov, and for reporting requirements, you will be required to be registered with SAM.gov. If your municipality is not registered, please do so as soon as possible.

Thank you.

60 Wolcott St.
LeRoy NY 14482
September 2, 2021

Villager Construction, Inc.
425 Old Macedon Center Road
Fairport NY 14450

Re: Wolcott Street, LeRoy NY project

To Whom It May Concern:

I am writing to complement the entire crew for the ongoing project on Wolcott Street , LeRoy NY. I bought my house there in March, and was both thrilled and disappointed to learn that my street was going to be re-done this summer. Today, they are starting to pave, and I just have to write with my thoughts on the process.

While the project has been a disruption of course, EVERY SINGLE TIME I had occasion to speak with any member of the crew, each one has been extremely professional, courteous, and helpful. This includes your own staff as well as some I believe to be contracted truck drivers and others. The extraordinary skill of the equipment operators was fun for me to watch, as my late husband was an equipment operator.

One day this summer, as I returned from taking my son to work, I very faintly smelled gas near my front door. I went across the street to a worker and asked if they were working on the gas lines, and he said no, but came to see if he smelled it, too, and he told me to call RGE. There was a very, very tiny gas leak at the meter which took a long time to find! I so appreciate his taking the time to help me, and encouragement to call them.

Please congratulate your entire team for their efforts!

Sincerely,

Amy J. Stickney Simcick

Cc: Village of LeRoy NY, 3 West Main St., LeRoy NY 14482



**Parks, Recreation
and Historic Preservation**

ANDREW M. CUOMO
Governor

ERIK KULLESEID
Commissioner

August 2, 2021

Honorable Greg Rogers
Mayor, Village of LeRoy
3 W Main Street
LeRoy, NY 14482

Re: St. Mark's Episcopal Church & Cemetery
1 E Main Street and St. Mark's Place
LeRoy, NY 14482
Genesee County

Dear Mayor Greg Rogers:

I am pleased to inform you that the above referenced property was listed **July 29, 2021** on the National Register of Historic Places. As you may know, the National Register is the nation's official list of properties worthy of preservation. Listing on the National Register recognizes the importance of these properties to the history of our country and provides them with a measure of protection. ***In addition, owners of income producing properties may qualify for federal and/or state income tax benefits. Homeowners in qualifying census tracts may qualify for state income tax benefits for approved work.*** Properties owned by municipalities and not-for-profit organizations are eligible to apply for state historic preservation matching grants.

We encourage you to learn more about the registers from our website, www.parks.ny.gov/shpo/national-register/, where you will find more information about the criteria for listing, frequently asked questions about the registers, and information about incentive programs for designated properties.

If you would like more information about any of these programs, please contact your field representative, in this case, Virginia Bartos, at the **Division for Historic Preservation** at (518) 268-2161. Division staff maintains a continuing interest in all registered properties and will be happy to answer any questions you may have.

Sincerely,

R. Daniel Mackay
Deputy Commissioner for Historic Preservation and
Deputy State Historic Preservation Officer

Contractor's Application for Payment No. 3

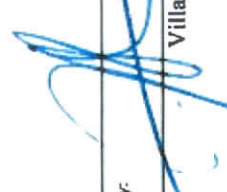
Application Period: 7/24/2021-8/27/2021	Application Date: 8/27/2021	3
To (Owner): Village of LeRoy	From (Contractor): Villager Construction, Inc.	Via (Engineer): CPL
Project: Wolcott Street Reconstruction	Contract: Wolcott Street Reconstruction	Engineer's Project No.: 15256.00
Owner's Contract No.:	Contractor's Project No.:	

**Application For Payment
Change Order Summary**


Approved Change Orders	Number	Additions	Deductions
	1		\$307,900.00
TOTALS			\$307,900.00
NET CHANGE BY CHANGE ORDERS		-\$307,900.00	

1. ORIGINAL CONTRACT PRICE..... \$ \$2,642,000.00
2. Net change by Change Orders..... \$ -\$307,900.00
3. Current Contract Price (Line 1 ± 2)..... \$ \$2,334,100.00
4. TOTAL COMPLETED AND STORED TO DATE (Column F on Progress Estimate)..... \$ \$1,656,441.75
5. RETAINAGE:
 - a. 5% X \$1,656,441.75 Work Completed..... \$ \$82,822.09
 - b. 5% X _____ Stored Material..... \$ _____
 - c. Total Retainage (Line 5a + Line 5b)..... \$ \$82,822.09
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c)..... \$ \$1,573,619.66
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)..... \$ \$839,049.79
8. AMOUNT DUE THIS APPLICATION..... \$ \$734,569.87
9. BALANCE TO FINISH, PLUS RETAINAGE (Column G on Progress Estimate + Line 5 above)..... \$ \$760,480.34

Contractor's Certification
The undersigned Contractor certifies that to the best of its knowledge (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work materials and equipment incorporated in said Work or otherwise listed or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

By:  Villager Construction, Inc. Date: 8/1/2021

Payment of \$734,569.87 (Line 8 or other - attach explanation of the other amount) 09/01/2021 (Date)

is recommended by:  (Engineer)

Payment of \$734,569.87 (Line 8 or other - attach explanation of the other amount)

is approved by: _____ (Owner) _____ (Date)

Approved by: _____ Funding Agency (if applicable) _____ (Date)

Progress Estimate - Unit Price Work

Contractor's Application

For (Contract):		Wolcott Street Reconstruction		Application Number: 3		8/27/2021		TOTAL TO DATE					
Application Period:		7/24/2021-8/27/2021		Application Date:		8/27/2021							
A		B		C		D		E		F		G	
CONTRACT		CONTRACT		THIS PERIOD		TOTAL TO DATE							
BASE BID: Lincoln Avenue to Clay Street													
Bid Item No.	Description	Units	Bid Item Quantity	Unit Price	Bid Item Value (\$)	Estimated Quantity Installed	Value of Work Installed	Materials Presently Stored (not in C)	Total Completed and Stored this period (D + E)	Estimated Quantity Installed to Date	Value of Work Installed to Date	% (G / B)	Balance to Finish (B - G)
G-1	Mobilization	LS	1	\$50,000.00	\$50,000.00					1.00	\$37,500.00	75.0%	\$50,000.00
	1a 75% to be paid upon 10% of work completed	LS		\$37,500.00	\$37,500.00								
	1b 25% to be paid upon completion	LS		\$12,500.00	\$12,500.00								\$12,500.00
G-2	Maintenance & Protection of Traffic	LS	1	\$74,250.00	\$74,250.00					0.75	\$55,687.50	75.0%	\$18,562.50
G-3	Erosion Control	LS	1	\$5,000.00	\$5,000.00					1.00	\$5,000.00	100.0%	
G-4	Unclassified Excavation & Disposal	CY	3,750	\$30.00	\$112,500.00	3,895.00	\$116,850.00		\$116,850.00	5,395.00	\$161,850.00	143.9%	-\$49,350.00
G-5	Unclassified Excavation & Disposal - Undercut	CY	1,000	\$20.00	\$20,000.00								\$20,000.00
G-6	Select Granular Fill	CY	2,500	\$34.00	\$85,000.00								\$85,000.00
G-7	Rock Removal	CY	500	\$95.00	\$47,500.00								\$47,500.00
G-8	Remove & Reinstall Signage	LS	1	\$2,500.00	\$2,500.00								\$2,500.00
G-9	Remove Trees & Shrubs	LS	1	\$600.00	\$600.00								\$600.00
G-10	Restoration & Seeding	LS	1	\$30,000.00	\$30,000.00								\$30,000.00
G-11	Embankment in Place	CY	300	\$11.00	\$3,300.00	234.00	\$2,574.00		\$2,574.00	234.00	\$2,574.00	78.0%	\$726.00
G-12	Raise Existing Utilities to Grade	LS	1	\$5,000.00	\$5,000.00								\$5,000.00
R-1	Geotextile Stabilization Fabric (NYS DOT Item 207.24)	SY	6,000	\$1.25	\$7,500.00	6,277.00	\$7,846.25		\$7,846.25	6,277.00	\$7,846.25	104.6%	-\$346.25
R-2	Subbase Course - Type 2	CY	2,500	\$40.00	\$100,000.00	2,842.00	\$113,680.00		\$113,680.00	2,842.00	\$113,680.00	113.7%	-\$13,680.00
R-3	Asphalt Base Course, 37.5 F9	Ton	1,200	\$80.00	\$96,000.00								\$96,000.00
R-4	Asphalt Binder Course, 19.0 F9	Ton	850	\$90.00	\$76,500.00								\$76,500.00
R-5	Asphalt Top Course, 9.5 F2	Ton	550	\$95.00	\$52,250.00								\$52,250.00
R-6	Diluted Tack Coat	Gal	600	\$12.00	\$7,200.00								\$7,200.00
R-7	Asphalt Price Adjustment	DC	5,000	\$1.00	\$5,000.00								\$5,000.00
R-8	Concrete Curb Installation	LF	3,600	\$25.00	\$90,000.00	3,273.00	\$81,825.00		\$81,825.00	3,273.00	\$81,825.00	90.9%	\$8,175.00
R-9	White Epoxy ReflectORIZED Pavement Stripe	LF	3,850	\$0.50	\$1,925.00								\$1,925.00
R-10	Yellow Epoxy ReflectORIZED Pavement Stripe	LF	3,600	\$0.50	\$1,800.00								\$1,800.00
R-11	Cold Milling of Bituminous Pavement	SF	550	\$7.00	\$3,850.00								\$3,850.00
R-12	Asphalt Driveway Replacement	SF	6,200	\$5.50	\$34,100.00	6,200.00	\$17,050.00		\$17,050.00	6,200.00	\$17,050.00	50.0%	\$34,100.00
	12a Installed Subbase @ 50%	SF		\$2.75	\$17,050.00								
	12b Installed Asphalt @ 50%	SF		\$2.75	\$17,050.00								
R-13	Concrete Sidewalk Replacement	SF	500	\$9.00	\$4,500.00								\$4,500.00
	13a Installed @ 50%	SF		\$4.50	\$2,250.00								\$2,250.00
	13b Restored @ 50%	SF		\$4.50	\$2,250.00								\$2,250.00
ST-1	12-Inch Diameter SICPP Storm Sewer	LF	850	\$115.00	\$97,750.00								\$97,750.00
	ST-1a Installed @ 90%	LF		\$103.50	\$87,975.00								\$87,975.00
	ST-1b Restored @ 10%	LF		\$11.50	\$9,775.00								\$9,775.00
ST-2	15-Inch Diameter SICPP Storm Sewer	LF	920	\$55.00	\$50,600.00								\$50,600.00
	ST-2a Installed @ 90%	LF		\$49.50	\$45,540.00								\$45,540.00
	ST-2b Restored @ 10%	LF		\$5.50	\$5,060.00								\$5,060.00
ST-4	24-Inch Diameter SICPP Storm Sewer	LF	300	\$115.00	\$34,500.00								\$34,500.00
	ST-4a Installed @ 90%	LF		\$103.50	\$31,050.00								\$31,050.00
	ST-4b Restored @ 10%	LF		\$11.50	\$3,450.00								\$3,450.00
ST-5	2x2' Precast Catch Basin, Frame & Grate	VF	65	\$1,200.00	\$78,000.00								\$78,000.00
	ST-5a Installed @ 90%	VF		\$1,080.00	\$70,200.00								\$70,200.00
	ST-5b Restored @ 10%	VF		\$120.00	\$7,800.00								\$7,800.00

A CONTRACT										B			C			D			E			F			G											
ALTERNATE BID: Main Street to Stanley Place										Bid Item Value (\$)			Estimated Quantity Installed			Value of Work Installed			Materials Presently Stored (not in C)			Total Completed and Stored this period (D + E)			Estimated Quantity Installed to Date			Value of Work Installed to Date			%			Balance to Finish (B - G)		
Bid Item No.	Description	Units	Bid Item Quantity	Unit Price	Bid Item Value (\$)	Estimated Quantity Installed	Value of Work Installed	Materials Presently Stored (not in C)	Total Completed and Stored this period (D + E)	Estimated Quantity Installed to Date	Value of Work Installed to Date	%	Balance to Finish (B - G)																							
G-1	Mobilization	LS	1	\$22,500.00	\$22,500.00																															
1a	75% to be paid upon 10% of work completed	LS		\$16,875.00	\$16,875.00					1.00	\$16,875.00	75.0%																								
1b	25% to be paid upon completion	LS		\$5,625.00	\$5,625.00																															
G-2	Maintenance & Protection of Traffic	LS	1	\$54,070.00	\$54,070.00	0.25	\$13,517.50		\$13,517.50	1.00	\$54,070.00	100.0%																								
G-3	Erosion Control	LS	1	\$5,000.00	\$5,000.00					1.00	\$5,000.00	100.0%																								
G-4	Unclassified Excavation & Disposal	CY	2,561.00	\$30.00	\$75,000.00	2,561.00	\$76,830.00		\$76,830.00	2,561.00	\$76,830.00	102.4%	-\$1,830.00																							
G-5	Unclassified Excavation & Disposal - Undercut	CY	750	\$20.00	\$15,000.00								\$15,000.00																							
G-6	Select Granular Fill	CY	1,000	\$34.00	\$34,000.00								\$34,000.00																							
G-7	Rock Removal	CY	100	\$95.00	\$9,500.00								\$9,500.00																							
G-8	Remove & Reinstall Signage	LS	1	\$2,000.00	\$2,000.00								\$2,000.00																							
G-10	Restoration & Seeding	LS	1	\$15,000.00	\$15,000.00								\$15,000.00																							
G-11	Embankment in Place	CY	250	\$11.00	\$2,750.00	250.00	\$2,750.00		\$2,750.00	250.00	\$2,750.00	100.0%																								
G-12	Raise Existing Utilities to Grade	LS	1	\$5,000.00	\$5,000.00								\$5,000.00																							
R-1	Geotextile Stabilization Fabric (NYS DOT Item 207.24)	SY	3,500	\$1.00	\$3,500.00	3,500.00	\$3,500.00		\$3,500.00	3,500.00	\$3,500.00	100.0%																								
R-2	Subbase Course - Type 2	CY	1,500	\$40.00	\$60,000.00	2,046.00	\$81,840.00		\$81,840.00	2,046.00	\$81,840.00	136.4%	-\$21,840.00																							
R-3	Asphalt Base Course, 37.5 F9	Ton	750	\$80.00	\$60,000.00								\$60,000.00																							
R-4	Asphalt Binder Course, 19.0 F9	Ton	500	\$90.00	\$45,000.00								\$45,000.00																							
R-5	Asphalt Top Course, 9.5 F2	Ton	375	\$95.00	\$35,625.00								\$35,625.00																							
R-6	Diluted Tack Coat	Gal	300	\$15.00	\$4,500.00	150.00	\$2,250.00		\$2,250.00	150.00	\$2,250.00	50.0%	\$2,250.00																							
R-7	Asphalt Price Adjustment	DC	5,000	\$1.00	\$5,000.00								\$5,000.00																							
R-8	Concrete Curb Installation	LF	1,750	\$25.00	\$43,750.00	1,750.00	\$43,750.00		\$43,750.00	1,750.00	\$43,750.00	100.0%																								
R-9	White Epoxy ReflectORIZED Pavement Stripe	EA	2,000	\$0.50	\$1,000.00								\$1,000.00																							
R-10	Yellow Epoxy ReflectORIZED Payment Stripe	LF	1,750	\$0.60	\$1,050.00								\$1,050.00																							
R-11	Cold Milling of Bituminous Pavement	SF	300	\$7.00	\$2,100.00								\$2,100.00																							
R-13	Concrete Sidewalk Replacement	SF	4,000	\$9.00	\$36,000.00								\$36,000.00																							
13a	Installed @ 50%	SF		\$4.50	\$18,000.00	4,948.00	\$22,266.00		\$22,266.00	4,948.00	\$22,266.00	61.9%	\$13,734.00																							
13b	Restored @ 50%	SF		\$4.50	\$18,000.00																															
R-14	Remove & Reinstall Signal Loops	LS	1	\$10,000.00	\$10,000.00								\$10,000.00																							
ST-1	12-Inch Diameter SICPP Storm Sewer	LF	125	\$135.00	\$16,875.00																															
ST-1a	Installed @ 90%	LF		\$121.50	\$15,187.50	125.00	\$15,187.50		\$15,187.50	125.00	\$15,187.50	90.0%																								
ST-1b	Restored @ 10%	LF		\$13.50	\$1,687.50								\$1,687.50																							
ST-2	15-Inch Diameter SICPP Storm Sewer	LF	60	\$100.00	\$6,000.00								\$6,000.00																							
ST-2a	Installed @ 90%	LF		\$90.00	\$5,400.00	60.00	\$5,400.00		\$5,400.00	60.00	\$5,400.00	90.0%																								
ST-2b	Restored @ 10%	LF		\$10.00	\$600.00	46.00	\$460.00		\$460.00	46.00	\$460.00		\$140.00																							
ST-3	18-Inch Diameter SICPP Storm Sewer	LF	420	\$105.00	\$44,100.00																															
ST-3a	Installed @ 90%	LF		\$94.50	\$39,690.00	420.00	\$39,690.00		\$39,690.00	420.00	\$39,690.00	90.0%																								
ST-3b	Restored @ 10%	LF		\$10.50	\$4,410.00	420.00	\$4,410.00		\$4,410.00	420.00	\$4,410.00		\$4,200.00																							
ST-5	2'x2' Precast Catch Basin, Frame & Grate	VF	35	\$1,200.00	\$42,000.00																															
ST-5a	Installed @ 90%	VF		\$1,080.00	\$37,800.00	35.00	\$37,800.00		\$37,800.00	35.00	\$37,800.00	90.0%																								
ST-5b	Restored @ 10%	VF		\$120.00	\$4,200.00								\$4,200.00																							
ST-6	3'x3' Precast Catch Basin, Frame & Grate	VF	40	\$1,300.00	\$52,000.00																															
ST-6a	Installed @ 90%	VF		\$1,170.00	\$46,800.00	39.99	\$46,788.30		\$46,788.30	39.99	\$46,788.30	90.0%																								
ST-6b	Restored @ 10%	VF		\$130.00	\$5,200.00								\$5,211.70																							
ST-8	4' Diameter Storm Sewer Precast Manhole	VF	20	\$700.00	\$14,000.00																															
ST-8a	Installed @ 90%	VF		\$630.00	\$12,600.00	16.24	\$10,231.20		\$10,231.20	16.24	\$10,231.20	101.1%	-\$149.80																							
ST-8b	Restored @ 10%	VF		\$70.00	\$700.00								\$700.00																							

APPLICATION AND CERTIFICATE FOR PAYMENT

TO (Owner):
 VILLAGE OF LEROY
 3 WEST MAIN STREET
 LEROY, NY 14482

PROJECT: VILLAGE OF LEROY WWTP

APPLICATION NO.: 2

Distribution to:
 OWNER
 ARCHITECT
 CONTRACTOR:

CONTR.: Kaplan-Schmidt Electric, Inc.
 P. O. Box 23625
 Rochester, New York 14692

VIA ARCHITECT:
 CPL
 205 ST. PAUL STREET
 ROCHESTER, NY 14604

PERIOD FROM: 7/1/2021
 TO: 9/3/2021

ARCHITECT'S
 PROJECT NO.: 14087.00

CONTRACT DATE: 4/28/2021

CONTRACT FOR: Electrical Work

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for Payment, as shown below, in connection with the Contract Continuation Sheet, AIA Document G703, is attached

The present status of the account for this Contract is as follows:

CHANGE ORDER SUMMARY		ADDITIONS	DEDUCTIONS
Change Orders approved in previous months by Owner	TOTAL \$	-	\$
Approved this Month			
Number	Date Approved		
TOTALS	\$	-	\$
Net change by Change Orders			

ORIGINAL CONTRACT SUM \$ 547,425.00

Net change by Change Orders \$ -

CONTRACT SUM TO DATE \$ 547,425.00

TOTAL COMPLETED & STORED TO DATE. (Column G on G703) \$ 70,829.00

RETAINAGE 5% \$ 3,541.45

or total in Column I G703

TOTAL EARNED LESS RETAINAGE..... \$ 67,287.55

LESS PREVIOUS CERTIFICATES FOR PAYMENT.

CURRENT PAYMENT DUE..... \$ 45,523.05

BALANCE TO FINISH (including retainage)..... \$ 480,137.45

State of New York County of Monroe

Subscribed and sworn to before me this 3rd. day of September, 2021

Notary Public: *Jeffrey G. Lang*
 JEFFREY G. LANG
 NOTARY PUBLIC, State of New York
 Qualified in Monroe County
 No. 01LA6231980
 My Commission Expires December 6, 2022

AMOUNT CERTIFIED..... \$45,523.05

(Attach explanation if amount certified differs from the amount applied for.)

ARCHITECT: *Nicholas A. Long*
 By: _____ Date: 09/08/2021

This Certificate is not negotiable The AMOUNT CERTIFIED is payable only to the Contractor

CONTRACTOR: Kaplan-Schmidt Electric, Inc.

By: *Eric F. Schmidt* Date: 9/3/2021

Eric F. Schmidt, President

ARCHITECT'S CERTIFICATE FOR PAYMENT

BIDDER'S TAB - SIDEWALK REPLACEMENTS

SPEC NO 2021-2

8/23/2021

BIDDER

BID

BID BOND

4"per sq ft

6" per sq ft

E.J. Militello Concrete, Inc.
6465 Transit Road
East Amherst, NY 14051

No Bid

Sunshine Concrete Co. Inc.
3461 Stevenson Crt.
N. Tonawanda, NY 14120

No Bid

Andrew Lathan
33 Munson Street
LeRoy, NY 14482

No Bid

Pro Construction
6062 Sautell Road
Bergen, NY 14416

8.25

8.50

Master's Edge Inc
3409 Broadway Street
Cheektowaga, NY 14227

No Bid

*

VILLAGE OF LE ROY
 3 West Main Street
 Le Roy, New York 14482

METER READINGS		UNITS CHARGED	CODE	NET CHARGE
PREVIOUS	PRESENT			
0	0	0	S	40.00
			SA	220.00

INVOICE DATE 08/01/21

02810	264.00
ACCOUNT NO.	DUE AFTER DUE DATE
260.00	09/07/21
AMOUNT DUE	DUE DATE

05/01/21 SERVICE FROM/TO	264.00 DUE AFTER DUE DATE ACCOUNT NO.	260.00 AMOUNT DUE DUE DATE
07/31/21	02810	09/07/21

KATHRYN CHRISTNER
 5 NORTH ST.
 LEROY, NY 14482
 UP

Billing Codes: S-Sewer
 SA-Sewer Arrears

SERVICE LOCATION
 5 NORTH ST

Payments may be made at the
 Village Office or
 The Bank of Castile

RETURN THIS PORTION WITH YOUR PAYMENT



Le Roy Central School District

2-6 Trigon Park
Le Roy, New York 14482

Merritt Holly, Superintendent of Schools
mholly@leroycsd.org

Phone (585) 768-8133
Fax (585) 768-5505

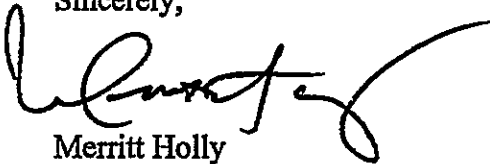
September 10, 2021

Chief Greg Kellogg:

Similar to last school year, Le Roy Jr/Sr High School continues to experience an increased amount of parent pick-up and drop-off in the morning and afternoon. The increased traffic volume during these condensed morning and afternoon timeframes can potentially create a safety issue on our campus and on South Street.

In order to manage the increased traffic volume/flow and keep students safe, I am requesting an additional crossing guard to be stationed at the cross-walk in the Jr/Sr High School loop from 7:20 AM to 7:50 AM and 2:10 PM to 2:30 PM each day. Along with the support from our School Resource Officer, we can offer both a safe and efficient parent drop-off/pick-up each school day.

Sincerely,



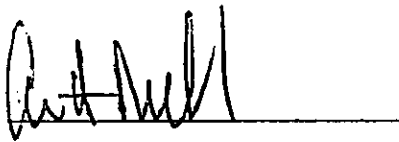
Merritt Holly

September 7, 2021

LeRoy Police Department
3 West Main Street
LeRoy, NY 14482

Attn: Police Chief Kellogg

As of today, September 7, 2021, I submit my resignation
as a Part-Time Patrolman with the LeRoy Police
Department.

A handwritten signature in black ink, appearing to read "Eric H Miller", is written over a horizontal line.

Eric H Miller
5850 Sweetland Road
Stafford, NY 14143

TO: Hon. Mayor and Village Board of Trustees
FROM: Chief. G.S. Kellogg
SUBJECT: Surplus Equipment
DATE: September 8th, 2021

I am requesting the one Glock pistol SN# VS780 be declared surplus and transferred to Eric H. Miller by way of a licensed FFL dealer.

Handwritten mark

TO: Hon. Mayor and Village Board of Trustees
FROM: Chief. G.S. Kellogg
SUBJECT: Surplus Equipment
DATE: September 2nd, 2021

I am requesting the following patrol car be declared surplus and sold at auction.

2013 Ford Explorer Police, VIN 1FM5K8AR2DGC73204, Mileage 166,100 (Aprox)

<i>Anticipated</i> revenue from 2013 Ford Explorer Police:	\$5,000
<i>Actual</i> revenue received from surplus of 2012 Tahoe and Equipment:	\$10,075
Total:	\$ 15,075

I am also requesting a replacement police sedan to be purchased at auction utilizing allotted and approved budget monies not to exceed \$15,000 (budget line A3120.2000)

RESOLUTION TO APPROVE ACCOUNTING
SERVICES WITH
STAROWITZ & HOFRICHTER CPA's, LLP

MOTION BY _____

WHEREAS, the Village of LeRoy contracted Freed Maxick Accountants to provide internal accounting services for the Village, and

WHEREAS, recently the Village received notification that Freed Maxick will no longer be providing these services, and

WHEREAS, information has been received from Starowitz & Hofrichter CPA's LLP that they are able to provide the internal accounting services for the Village, and

WHEREAS, said fees for these services will be \$1,300 per month, NOW THEREFORE

BE IT RESOLVED the Board of Trustees hereby approves Starowitz & Hofrichter CPA's, LLP, to provide accounting services beginning September 2021 and will be ongoing, and

BE IT FURTHER RESOLVED the Board of Trustee hereby authorizes the Mayor to sign an Engagement Letter with Starowitz & Hofrichter CPA's, LLP for said services.

SECONDED BY _____



Le Roy Central School District

2-6 Trigon Park
Le Roy, New York 14482

Kim M. Cox, Superintendent of Schools
kcox@leroycsd.org

Phone (585) 768-8133
Fax (585) 768-5505

September 1, 2021

Village of Le Roy Sewer Board
3 West Main Street
Le Roy, NY 14482

Dear Board members,

I am writing to request an appeal for on behalf of the Le Roy Central School District for the 9300 South Street Road Acct #22077. This particular invoice covers the for sewer services covers the periods of May 1, 2021 through July 31, 2021. It is my belief that the majority of the water usage during this period was used by the roofing contractor to control dust as they extracted the stone ballast material off the roof through the vacuum system. The contractor used an estimated 10 separate garden hoses throughout the building that ran approximately 10hours a day to accomplish this task. This portion of the water used was discharged onto the ground, therefore having no sewer impact. The invoice received is based on the amount of 1,240,000 gallons of water which in turn generated a large sewer charge.

I would like to request our sewer usage be adjusted from the 1,240,000 down to an amount in the range of 160,000 gallons of water/sewer units for this period. I looked back at previous year's invoices and in 2019 we used 160,000 gallons and in 2020 we had no students in the buildings during that time so I cannot use that time to get a proper estimation of usage.

Thank you for your consideration in this matter.

Brian Foeller
Le Roy Central School
2-6 Trigon Park
Le Roy, Y 14482