

## **Village of Lima Board Meeting**

June 28<sup>th</sup>, 2022

**Present:** John Skiptunas, Mayor; John Wadach Deputy Mayor; Trustees Joshua Petraitis, Brian Smith and Carolyn Fleming.

**Others Present:** Matthew Lenahan, Attorney; Elissa Sackett, Clerk; Ben Luft, DPW Supervisor; Sarah Santora, Representative from Senator Gallivan's Office; Pat Nicoletta, MRB Group.

The meeting of the Village of Lima was called to order by Mayor Skiptunas at 7pm Tuesday, June 28<sup>th</sup>, 2022 at Lima Town Hall, 7329 E. Main St. and opened with the Pledge of Allegiance.

### ***Motion***

Motion was made by Trustee Petraitis and seconded by Trustee Smith to approve meeting minutes from June 14<sup>th</sup>, 2022. Motion passed unanimously.

### **Guests**

**Sarah Santora, Representative from Senator Gallivan's Office** – Ms. Santora was present to observe the Village meeting. She stated that Senator Gallivan is still actively working for the district and remains Senator for the Livingston County area until December 31<sup>st</sup>, 2022. Due to redistricting by the state, Senator Gallivan will no longer be representing this area. She asked if there was anything that she could do, or concerns that the Village would like to pass along to the Senator? The Board discussed the status of the awarded \$250,000 SAM grant that the Village has yet to receive. Ms. Santora stated that Lima and another local municipality are in the same scenario, as the awards have been approved through the State Dormitory Authority (DASNY), however the Senate Finance Committee has yet to release the funds. She explained that it is political, and since the representative for the region is of a different political party as the majority, the funds have not been awarded. She explained that although these funds have been awarded, there is no timeline as to when they are to be dispersed. Ms. Santora recommended that the board reach out to Keith Bryan, Chief of Staff for Senator Gallivan, and discuss what next steps the Village should take to expedite receipt of the funds.

**Pat Nicoletta, MRB Group** – Mr. Nicoletta was present with several resolutions needed for both the Wastewater Infrastructure Engineering Planning Grant application, as well as the Non-Agricultural Nonpoint Source Planning Grant application. Mr. Nicoletta discussed the Non-Agricultural Nonpoint source Planning Grant with the board, and stated that this is part of the Green Infrastructure Program pertaining to storm water management. The goal with this grant is to identify areas of flooding, and help pinpoint areas that will help absorb and “slow down” water flow into flood prone areas. Mr. Nicoletta did state that once these applications are submitted, the goal is to have these studies completed within a year. The Village may need to obtain easements from residents if they need to enter residents' properties. He did also notify the board that awards for these grants may not be until the end of 2022, beginning of 2023. See attached Resolutions.

### **Reports**

#### **DPW – Ben Luft**

Mr. Luft discussed the summer items the DPW crew have been working on, and anticipate working on soon. He stated the park is all set for the 4<sup>th</sup> of July, with the exception of one area. He has requested the Town to brush hog the area in which the fireworks will be launched one more time before the 4<sup>th</sup>. The crew are starting to work on some sidewalk replacements, culvert repairs, tree trimming and more hydrant painting. He also anticipates replacing 2 additional hydrants. Paving will be scheduled as soon as possible, but it may be August before paving takes place as Hanson/Villager have full schedules.

Mr. Luft gave an update on the water project. He stated that the contractors are still working on the punch list of items to be completed. The tree list has been received, so hopefully over the next two weeks he

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will have time to discuss with all homeowners who need trees replaced. He will ask what type of trees from the list provided, how many they want, and where to put them.

Julia Bean stated her elderly customers are having a hard time finding parking since two new businesses have opened next to her shop. She requested the parking spot outside of her salon be painted handicap to allow for a spot for her customers to park and enter the shop. The parking spot is the last spot next to the firehouse on 5&20. The board discussed and stated the request would need to be sent to the Department of Transportation (DOT) as it is a state road.

Mr. Luft stated that the required 30 day waiting period for use of reserve funds has expired and he is ready to purchase the sidewalk tractor using .

### **Motion**

Motion made by Trustee Petraitis and seconded by Trustee Smith to transfer funds from the Lawn Mower Reserve Fund in the amount not to exceed \$30k to purchase the new sidewalk tractor with plow and snow blower. Motion passed unanimously.

Deputy Mayor Wadach thanked Mr. Luft and crew for all their work at the park. He asked about sealing the basketball court this year. Mr. Luft stated that he would have to purchase additional equipment to complete the sealing, and the board agreed to contract out the sealing. Trustee Fleming asked for more clarification on the water violation the Village received. Samples are taken from the farthest areas from the Village center, and unfortunately sometimes these samples have high levels of chlorine byproducts. They do not affect any of the residents' drinking water. Also, the Village purchases water from the City of Rochester, therefore we are at the mercy of what is provided by the city. Trustee Petraitis lastly asked Mr. Luft who is in charge of taking care of the high weeds by Dollar General. Since the business is in the Town, it is not Village's responsibility. Ultimately the weeds are to be taken care of by the DOT. Mr. Luft passed along the phone number for DOT in Lakeville to the Dollar General manager so they can reach out directly.

### **Clerk Report – Elissa Sackett**

Clerk Sackett discussed a few items in the Village office. She stated tax collection continues to go well. Currently the Village has collected approximately 80% of all payments due. July 1<sup>st</sup> is the last day to make payments to avoid penalty. She also stated that Jason Schwartz from Bernard Donegan's office will be at the office on July 15<sup>th</sup> to complete the AUD for the Village.

Clerk Sackett informed the board that the Village needs to generate approximately \$41k more in revenue for the Sewer fund in order to cover the additional sewer debt and to ensure all expenses are paid. Mr. Luft will work with Clerk Sackett to adjust the current billing rates and present to the board.

Several invoices were available to the board for review/approval. Payments were the following:

- Ambulance Fund: \$4484.26
- General Fund: \$14279.92
- Sewer Fund: \$5039.17
- Water Fund: \$2647.46
- Capital Water: \$6532.54
- Capital Sewer: \$8390.83
- Grand Total: \$41374.18

### **Motion**

Motion was made by Trustee Smith and seconded by Trustee Fleming to approve payment for all invoices. Motion passed unanimously.

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### **Old Business**

**Sign Code** – Attorney Lenahan passed around a draft sign code for the board to review. He asked that all members look through it and come up with any adjustments that they deem fit. He gave a brief overview of some of the changes added to the code including:

- Section discussing non-conforming signs
  - Also noted that per the new code, any signs that are non-conforming under the current Village code and the new Village code will need to be replaced within six months at the owner's expense.
- Section designated for Shopping Centers
- Section addressing “unique” signs for gas stations
- Verbiage stating the Code Enforcement Officer will submit any permit requests to the Planning Board. Planning Board has 10 days to respond if they want to review the sign permit or not. If not, then the CEO can issue a permit. If the Planning Board requests review, they must do so within 30 days.
  - Deputy Mayor Wadach asked what constituted the start of the 30 days? Attorney Lenahan will reword this area so it defines the timeline a more precisely.

The draft code will need to be presented to the Planning Board for review. Attorney Lenahan did state that he did take all prior recommendations made by the Planning Board when drafting the new code. Once the Planning Board reviews and makes comments, the code will need to be sent to the Livingston County Planning Board for review. After the new code has been reviewed by all parties, the Village can advertise a Public Hearing and vote on approving the new code.

### ***Motion***

Motion was made by Trustee Petraitis and seconded by Trustee Fleming to submit the new draft Sign code to the Planning Board and the Livingston County Planning Board for review. Motion passed unanimously.

**Fiber Optic Project** – Attorney Lenahan has discussed the Fiber Optic Project with the Attorney for Livingston County in regards to providing the local match for the project. A draft of the Subrecipient Agreement between Livingston County and the Village of Lima was passed around for the board to review. In addition to the agreement, the county also requested the following:

- Scope of Work
- Meet Livingston County insurance requirements
- Budget for the project

Attorney Lenahan will submit the additional documentation, as well as the draft Subrecipient Agreement back to the county for review. Once the agreement has been finalized, it will be presented to the board for approval.

Deputy Mayor Wadach informed the board that the Request for Proposals (RFP) for the engineering/design part of the contract has been released on the NY Contract Reporter, placed on the Village website, and notice is being published in the Sentinel. Deputy Mayor Wadach thanked Mr. Nicoletta for his help in submitting the document to the NY Contract Reporter. He has received multiple inquiries regarding the RFP and anticipates receiving multiple proposals. All proposals are due by 3pm on Thursday, July 21<sup>st</sup>. Once all proposals have been received, Mayor Skiptunas and Deputy Mayor Wadach will review and make a company selection recommendation to the board.

### **New Business**

**Support Resolution LCWSA Regarding Sewer Truck** – Livingston County Water Sewer Authority (LCWSA) has requested a support resolution from the Village as they are looking to purchase a Sewer Vacuum Truck. This is no financial burden for the Village; this is just to show the Village shows support for the purchase. If the truck is able to be purchased, it would be able to be utilized throughout various

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municipalities throughout Livingston County, as the equipment would be part of the shared services agreement. See attached resolution.

### **Roundtable Discussion**

Mayor Skiptunas discussed the following:

- Discussed 4<sup>th</sup> of July at the park. Various vendors will be present and there will be games for the children. He is working with HFL School regarding possible transportation from the Lima Christian School to the park.
- Discussed Mural Festival 9<sup>th</sup> of July.

Deputy Mayor Wadach discussed the following:

- Codification – Deputy Mayor Wadach made edits to the various sections. Most are administrative, requested Attorney Lenahan and Clerk Sackett review and use their discretion finishing the changes.
- Tree grant for \$35k is moving slowly. The amount is close to the threshold where it would need to go out for bid. He asked Attorney Lenahan what the threshold actually is where we need to go out for bid, and stated that the board should revisit the procurement policy. Clerk Sackett will look for the current procurement policy.
- Playground equipment needs to be repaired at the park. Requested reach out to Bears to do an inspection on the equipment. Also requested more mulch be placed around the playground; Mr. Luft stated it is on the to-do list for this summer.
- Airbnb Law
  - Discussed what should be added to the law.
  - Discussed holding a public information meeting for comments followed by a formal public hearing after the Village completes a draft local law.
    - The Information Meeting will be held 2<sup>nd</sup> meeting in September. Clerk Sackett will include a meeting notice with the August water bills.
- The Ford F-150 Lightning does not meet the specs for a replacement truck for the Village DPW. The only other item to use the NYSERDA grant would be for an EV charging station. Discussed the Level 3 EV stations and how it would draw visitors to Lima. More info will be provided at the July meeting.

Trustee Smith discussed the following:

- Civil War Reenactment at Park – The event went very well for the first year and lots of positive responses were received. Over 50 re-enactors were present and over 100 visitors attended. Next year the event will have more advertising, and it will be moved to July.
- Crossroads Festival is moving along very well. Festival is Aug 4<sup>th</sup> – 7<sup>th</sup>.

Motion was made by Trustee Smith and seconded by Trustee Petraitis at 8:53pm to adjourn the regular board meeting and enter executive session to discuss personnel matters regarding employment. Motion passed unanimously.

**Village of Lima Board Meeting**

June 28<sup>th</sup>, 2022

**Village of Lima  
2022 New York State Consolidated Funding Application  
Wastewater Infrastructure Engineering Planning Grant Application**

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**SEQR RESOLUTION - TYPE II ACTION**

**WHEREAS**, the Village Lima Village Board of Trustees (Hereinafter referred to as “Village Board”) is proposing to submit a 2022 Consolidated Funding Application (CFA) for the Wastewater Infrastructure Engineering Planning Grant (EPG) program to conduct a study of inflow and infiltration (I&I) of the Wastewater Treatment Plant (WWTP); and

**WHEREAS**, this action constitutes “information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies” and “conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action” which under the New York State Environmental Quality Review (SEQR) Act are listed as Type II actions for which it has been determined there are no significant adverse effects on the environment; and

**NOW, THEREFORE, BE IT RESOLVED THAT**, the Village Board does hereby classify the above-referenced action to be a Type II Action under 6 N.Y.C.R.R. Section 617.5 [c] [24] [27] of the State Environmental Quality Review (SEQR) Regulations; and

**BE IT FURTHER RESOLVED THAT**, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

**BE IT FINALLY RESOLVED THAT**, the Village Board in making this classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

Motion by: Deputy Mayor John Wadach

Seconded by: Trustee Joshua Petraitis

Passed by the following vote of all Village Board Members voting in favor thereof:

Affirmative Village Board Members:

Mayor John Skiptunas  
Deputy Mayor John Wadach  
Trustee Joshua Petraitis  
Trustee Brian Smith

**Village of Lima Board Meeting**

June 28<sup>th</sup>, 2022

**Village of Lima  
2022 New York State Consolidated Funding Application  
Wastewater Infrastructure Engineering Planning Grant Application**

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**SEQR RESOLUTION - TYPE II ACTION**

Trustee Carolyn Fleming

Affirmative: 5

Negative: 0

Abstain: 0

I, Elissa Sackett, do hereby certify that resolution 2022-09 was passed at a meeting of the Village of Lima Village Board of Trustees held on June 28<sup>th</sup>, 2022 and is incorporated in the original minutes of said meeting and that said resolution has not been altered, amended, or revoked and is in full force and effect.

Elissa Sackett



**Village of Lima Board Meeting**

June 28<sup>th</sup>, 2022

**Village of Lima  
2022 New York State Consolidated Funding Application  
Non-Agricultural Non-Point Planning Grant Application  
SEQR RESOLUTION - TYPE II ACTION**

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**WHEREAS**, the Village Lima Village Board of Trustees (Hereinafter referred to as “Village Board”) is proposing to submit a 2022 Consolidated Funding Application (CFA) for the for the Non-Agricultural Nonpoint Source Planning Grant (NPG) program under the Green Infrastructure sub-category to conduct a stormwater study; and

**WHEREAS**, this action constitutes “information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies” and “conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action” which under the New York State Environmental Quality Review (SEQR) Act are listed as Type II actions for which it has been determined there are no significant adverse effects on the environment; and

**NOW, THEREFORE, BE IT RESOLVED THAT**, the Village Board does hereby classify the above-referenced action to be a Type II Action under 6 N.Y.C.R.R. Section 617.5 [c] [24] [27] of the State Environmental Quality Review (SEQR) Regulations; and

**BE IT FURTHER RESOLVED THAT**, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

**BE IT FINALLY RESOLVED THAT**, the Village Board in making this classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

Motion by: Trustee Joshua Petraitis

Seconded by: Trustee Brian Smith

Passed by the following vote of all Village Board Members voting in favor thereof:

Affirmative Village Board Members:

Mayor John Skiptunas  
Deputy Mayor John Wadach  
Trustee Joshua Petraitis  
Trustee Brian Smith

**Village of Lima Board Meeting**

June 28<sup>th</sup>, 2022

**Village of Lima  
2022 New York State Consolidated Funding Application  
Non-Agricultural Non-Point Planning Grant Application  
SEQR RESOLUTION - TYPE II ACTION**

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Trustee Carolyn Fleming

Affirmative: 5

Negative: 0

Abstain: 0

I, Elissa Sackett, do hereby certify that resolution 2022-10 was passed at a meeting of the Village of Lima Village Board of Trustees held on June 28<sup>th</sup>, 2022 and is incorporated in the original minutes of said meeting, and that said resolution has not been altered, amended, or revoked and is in full force and effect.

Elissa Sackett





**Village of Lima Board Meeting**

June 28<sup>th</sup>, 2022

**Village of Lima**

**Resolution of Support & Authorization for the Village of Lima  
2022 New York State Consolidated Funding Application  
Non-Agricultural Nonpoint Source Planning Grant Application**

**WHEREAS**, Village of Lima, Livingston County, supports the submission of a 2022 Consolidated Funding Application (CFA) on behalf of the Village, for the Non-Agricultural Nonpoint Source Planning Grant (NPG) program under the Green Infrastructure sub-category to conduct a stormwater study; and

**WHEREAS**, the New York State Department of Environmental Conservation (DEC), provides a competitive statewide reimbursement grant program to assist in the initial planning and preparation of an Engineering Report of a non-agricultural nonpoint source water quality improvement project; and

**WHEREAS**, if funding is received it will allow the Village to prepare a planning report that will explore cost effective solutions to incorporate green infrastructure practices to address stormwater issues, as well as enable the Village to seek further funding for construction through the Water Quality Improvement Program (WQIP) or the Green Infrastructure Grant Program (GIGP) to continue the advancement of the water quality improvements;

**NOW THEREFORE BE IT RESOLVED**, the Village Board, on behalf of the Village, identifies the Village Mayor as the authorized representative for the project, able to execute necessary documents relative to and as required for this application; and

**BE IT FURTHER RESOLVED**, the Village Board does hereby authorize and obligates local matching funds of the minimum 10% of the total grant funding awarded in the form of in-kind services or cash contribution hereby appropriated from the sewer fund; and

**BE IT FURTHER RESOLVED**, that the Village of Lima, recognizes and fully supports the submission of the 2022 CFA for a Non-Agricultural Nonpoint Source Planning project to address stormwater issues.

**Village of Lima Board Meeting**

June 28<sup>th</sup>, 2022

Motion by: Deputy Mayor John Wadach

Seconded by: Trustee Carolyn Fleming

Passed by the following vote of all Village Board Members voting in favor thereof:

Affirmative Village Board Members:

Mayor John Skiptunas  
Deputy Mayor John Wadach  
Trustee Joshua Petraitis  
Trustee Carolyn Fleming  
Trustee Brian Smith

Affirmative: 5

Negative: 0

Abstain: 0

I, Elissa Sackett, do hereby certify that resolution 2022-08 was passed at a meeting of the Village of Lima Village Board held on June 28<sup>th</sup>, 2022 and is incorporated in the original minutes of said meeting, and that said resolution has not been altered, amended, or revoked and is in full force and effect.





**Village of Lima Board Meeting**

June 28<sup>th</sup>, 2022

**Village of Lima**

**Resolution of Support & Authorization for the Village of Lima  
2022 New York State Consolidated Funding Application  
Wastewater Infrastructure Engineering Planning Grant Application**

**WHEREAS**, Village of Lima, Livingston County, supports the submission of a 2022 Consolidated Funding Application (CFA) on behalf of the Village, for the Wastewater Infrastructure Engineering Planning Grant (EPG) program to conduct a study of its sanitary sewer collection system for Inflow and Infiltration improvements; and

**WHEREAS**, the New York State Environmental Facilities Corporation (EFC), provides a competitive statewide reimbursement grant program to assist in the initial planning of eligible Clean Water State Revolving Fund (CWSRF) water quality projects; and

**WHEREAS**, the Village of Lima meets the municipal median household income thresholds for EPG eligibility; and

**WHEREAS**, if funding is received, it will allow the Village of Lima to complete a study and prepare a preliminary engineering report that is intended to address the sewer collection system inflow & infiltration issues enabling the Village to seek further financing for construction through the CWSRF program to advance the required water quality improvements;

**NOW THEREFORE BE IT RESOLVED**, the Village Board, on behalf of the Village, identifies the Village Mayor as the authorized representative for the project, able to execute necessary documents relative to and as required for this application; and

**BE IT FURTHER RESOLVED**, the Village Board does hereby authorize and obligates local matching funds of the minimum 20% of the total grant funding awarded in the form of in-kind services or cash contribution hereby appropriated from the sewer fund; and

**BE IT FURTHER RESOLVED**, that the Village of Lima, recognizes and fully supports the submission of the 2022 CFA for an EPG for investigation into the sanitary sewer collection system.

**Village of Lima Board Meeting**

June 28<sup>th</sup>, 2022

Motion by: Trustee Joshua Petraitis

Seconded by: Deputy Mayor John Wadach

Passed by the following vote of all Village Board Members voting in favor thereof:

Affirmative Village Board Members:

Mayor John Skiptunas  
Deputy Mayor John Wadach  
Trustee Joshua Petraitis  
Trustee Brian Smith  
Trustee Carolyn Fleming

Affirmative: 5

Negative: 0

Abstain: 0

I, Elissa Sackett, do hereby certify that resolution 2022-07 was passed at a meeting of the Village of Lima Village Board held on June 28<sup>th</sup>, 2022, and is incorporated in the original minutes of said meeting, and that said resolution has not been altered, amended, or revoked and is in full force and effect.

Elissa Sackett



**Village of Lima Board Meeting**

June 28<sup>th</sup>, 2022

**RESOLUTION OF THE VILLAGE OF LIMA BOARD OF TRUSTEES**

*Made and passed at the regularly scheduled Board of Trustees Meeting  
held on the evening of Tuesday, June 28, 2022*

**RESOLUTION IN SUPPORT OF A 2022-2023 NEW YORK STATE LOCAL GOVERNMENT  
EFFICIENCY GRANT THROUGH THE CONSOLIDATED FUNDING APPLICATION  
FOR THE PURCHASE OF A SHARED VACUUM TRUCK.**

**WHEREAS**, the New York State Department of State (“**NYSDOS**”) has available funds for the 2022-2023 Local Government Efficiency (“**LGE**”) Grant Program through the Consolidated Funding Application (“**CFA**”); and

**WHEREAS**, Livingston County Water and Sewer Authority (“**LCWSA**”) will be submitting a NYSDOS LGE grant through the CFA program for the purchase of a dedicated vacuum truck that will be a shared resource among various Livingston County communities, including the Village of Lima; and

**WHEREAS**, this is a great benefit to our local community in order to reduce local costs of having to rent/contract out at a premium cost during emergency situations that call for its use; and

**WHEREAS**, this will also benefit the community by allowing us to perform more regular maintenance on our water, sewer, and/or stormwater systems to proactively address and correct any issues and minimize costly emergency repairs; and

**WHEREAS**, the community does not have the financial resources to outright purchase, store, and maintain our own vacuum truck due to the significant expense of such equipment; and

**WHEREAS**, at a time when the cost to maintain our underground infrastructure is growing rapidly and local budgets are tightly constrained, shared resources such as this are critical to continuing to provide safe and reliable essential public services; and

**WHEREAS**, the Village of Lima would directly benefit from this shared resource and the purchase would further the efficiency of the community and the County.

**NOW, THEREFORE, BE IT RESOLVED**, the Village of Lima fully supports this effort and the NYS LGE grant application for up to \$500,000 with LCWSA providing the local match.

**BE IT FURTHER RESOLVED**, that the Village of Lima will work with LCWSA to enter into a mutually-beneficial Intermunicipal Agreement for shared use of the vacuum truck, the details of which will be finalized and signed prior to December 31, 2022.

*On a motion by Trustee Joshua Petraitis, seconded by Trustee Brian Smith, the resolution was adopted on a unanimous roll call vote.*

Dated: June 28, 2022  
Lima, New York