

Village of Lima Board Meeting

May 11th, 2021

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

Others Present: Matthew Lenahan, Attorney; Elissa Sackett, Clerk; Ben Luft, DPW Supervisor; Steve McGrath, Fire Chief; Mike Finucane, Captain Lima Ambulance; Charlie Floeser, CEO; George Gotcsik.

Absent: John Skiptunas, Mayor; Brian Crye, WWTP Operator.

The meeting of the Village of Lima was called to order by Deputy Mayor Wadach at 7pm Tuesday, May 11th, 2021 and opened with the Pledge of Allegiance.

Motion

Motion was made by Trustee Petraitis and seconded by Trustee Fleming to approve meeting minutes from April 27th, 2021. Motion passed unanimously.

Department Reports

Fire Department – Steve McGrath, Fire Chief

Chief McGrath stated that there were no concerns at this time with the Fire Department; they are currently still working through the transition stage from the prior regime to the current. Chief McGrath confirmed that he did have a new 1st and 2nd Chief as well as Assistant Captains. The Board welcomed Chief McGrath and stated they looked forward to working with him in the future.

Ambulance – Mike Finucane, Captain

Captain Finucane discussed the Ambulance report that was passed to the Board. He stated that they were very pleased with this month's stats, especially that they were able to respond to 29 out of 30 calls. The Board was very pleased to see the excellent service being provided by the Lima Ambulance. Individuals are covering the night shift and have even taken off of work to respond to calls. Deputy Mayor Wadach asked if the bunk room and washer/dryer were being used at the Ambulance to which Captain Finucane stated they were indeed being used.

Captain Finucane stated that the new flycar has been received and is now registered. It will be headed to Ewing Graphics to have the old decals removed and to be outfitted with the Lima Ambulance information. The current fly car will be heading to auction on May 12th.

Captain Finucane stated that the EMT class has gone very well. Currently Lima has 6 students taking the class at this time. All EMT students have taken their skills test (all passed) and now they need to take the written exam. Once the students pass the written exam, they will be licensed EMT's.

Mr. Luft stated that the generator at the Ambulance is currently out of commission. The radiator is no longer working and is currently being rebuilt. It should be back on premises by the end of next week.

WWTP – Brian Crye (absent)

The Sewer Plant report was passed around for the Board to review. As of March 31st, the wastewater treatment plant was again in 100% compliance with NYSDEC regulations.

Construction continues on the WWTP upgrades. A permanent road was put out back of the plant and digging for the bypass for the new UV/Aeration tank has started.

Public Hearing opened at 7:15pm regarding Local Law #3 of 2021 – Amending Chapter 185, Article XIII in Relation to Signage in the Village of Lima.

Public Hearing opened at 7:15pm regarding 2021 Water and Sewer Rate Increases.

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Guest- George Gotcsik

Mr. Gotcsik was in attendance to discuss several items. First was regarding the development of the green space next to the Town Hall. Mr. Gotcsik discussed the proposed arborvitae fencing in the green space next to the building on the east side of the property as well as the possibility of adding a permanent tree to be used for the annual Light Up Lima event. Mr. Luft stated that there used to be a driveway in the lot so there is a lot of stone in the area so they would need to be aware of that when trying to find a location to plant the tree. Mr. Gotcsik agreed and was aware of the stone, but he was looking for support from the board to plant the tree. Mr. Gotcsik also stated he was contacted regarding putting in a Little Free Library in the green space. The Board stated that they would be in favor of the library, but the location would be subject to change if necessary.

Motion

Motion made by Trustee Fleming and seconded by Trustee Smith to support Rotary's plan to plant a permanent tree in the Village green space. Motion passed unanimously.

Mr. Gotcsik discussed the budget for development in the park. He stated that Rotary will donate seed money and complete fundraising for the gazebo. Deputy Mayor Wadach stated that with the Community Choice Aggregation program, the Village would receive a grant up to \$50K for sustainability which can be used towards something in the park.

Lastly, Mr. Gotcsik stated that the Family Dollar Project is being reviewed by the Livingston County Planning Board this week. He is hoping to have an answer later this week. Mr. Gotcsik suggested discussion with the Muracos regarding a "tree lawn" on Genesee St. Deputy Mayor Wadach suggested having Mayor Skiptunas reach out to the Muracos for further discussion.

CEO – Charlie Floeser

CEO Floeser passed around/discussed his report.

CEO Floeser and the Board discussed the abandoned house on McDonald Drive. At the Board meeting in April, it was agreed to have a Structural Engineer assess the property as it poses a huge liability to the Village due to the condition of the home (floors rotted, roof caved in). CEO Floeser stated that in the past month he had been in contact with the homeowner who has stated he contacted his insurance company and requested that his homeowner's insurance help make repairs to the roof as he wishes to fix it and sell it "as-is". The property owners should find out this month if the homeowner's insurance will pay for repairs on the property. Attorney Lenahan again stated that this is a huge liability for the Village to keep an unsafe structure standing in that condition. CEO Floeser stated that a window had been pried open on the property and people have been going inside. The Board again agreed that an Engineer needed to be brought to the home and action needed to be taken to remedy the problem before someone gets hurt on the premises.

DPW – Ben Luft

Mr. Luft started off by discussing the Water Tower. He stated that the finishing coat is being applied now and as long as the weather cooperates it should be done within a week. He did note that the color is not the same that was originally approved. When the contractors opened the paint and started to apply, the color is a sky blue. He had contacted Mayor Skiptunas regarding the difference and had it approved so the tower could be completed.

Mr. Luft then discussed the Sidewalk Connection project. Nardozzi is planning on starting construction on Michigan Ave. Wednesday 5/12). They will be skipping around on Michigan as items are on backorder. Mr. Luft has talked to all the homeowners on Michigan and has received 3 out of the 4 grading release forms. He said that most were responsive and came around after discussions, but all were happy with the door-to-door attention. Deputy Mayor Wadach said that during the pre-construction meeting

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Nardoizzi hopes to have the project completed by the end of June. As long as weather is good, the project should move fairly quickly.

Deputy Mayor Wadach asked Mr. Luft if there was an update on the water valve at the Avon-Lima border to which Mr. Luft replied it is on his list, but has currently taken a back burner with all the current projects. Once things start to calm down he and Pat Nicoletta will make sure it is taken care of.

Deputy Mayor Wadach also asked about an update on the 15A Project. Mr. Luft said that Mr. Nicoletta will be at the next meeting to go over everything so the Village can formally award the project. Clerk Sackett said that she had already sent in the Estoppel to the paper so we are good with our timeline. Attorney Lenahan said that we are making progress on the easements. Currently there are only 2 of the original easements that were sent out that he has not received any, and he recently sent out 5 more. If he does not hear back within a week he and Mr. Luft will be going door to door to see if they can get these signed. Attorney Lenahan said he is confident that he will have all easements by the next meeting.

Clerk Report – Elissa Sackett

Clerk Sackett passed around final proposals from Brisbane Consultants regarding purchasing the Accufund software, as well as services from ADP to bring payroll services back in house. Doing both of these measures will save the Village a lot of money. The Board agreed to both proposals and Clerk Sackett will have Mayor Skiptunas sign when he is available. Motion to proceed was made at the 4/27/21 meeting.

Clerk Sackett and Attorney Lenahan discussed the Covid bill which will disallow the Village to re-levy past due water invoices to the upcoming Village taxes. The bill only addresses water; therefore, we are able to still re-levy sewer. Through conversations with NYCOM the bill has passed the Senate and is waiting for the Governor's signature; he is expected to sign the legislation. With this being said the Village should enact a policy to collect on any past due water charges as we cannot rely on adding to taxes. Deputy Mayor Wadach stated that we can still shut off water for non-payment if necessary. It was stated that we would start sending collection letters to all of those who are currently behind (would have been on re-levy) and going forward we would send letters to those in arrears starting at 3 months past due. If a resident ends up 6 months the Village will start sending demand letters and pursuing shut off. Attorney Lenahan stated that he would assist in writing up a policy regarding collection of past due balances. In the meantime, Clerk Sackett will add all the past due balances back into the Edmunds GovTech system, along with the 10% re-levy penalty so they show on the next invoices.

Clerk Sackett had the new Tax Warrant available to reflect the upcoming 2021-2022 tax collection. See attached Tax Warrant reflecting collection totals.

Motion

Motion was made by Trustee Petraitis and seconded by Trustee Smith to approve and enforce the Tax Warrant for 2021-2022. Motion passed unanimously.

Lastly, several invoices were available to the board for review/approval. Trustee Fleming pointed out that one balance payable to Blade's Landscaping in the amount of \$500 was missing. Clerk Sackett stated she missed this statement and will add to the bills so it can be paid. Totals from each fund are the following:

- Ambulance Fund: \$2729.83
- General Fund: \$15295.20 + \$500
- Sewer Fund: \$632.82
- Water Fund: \$8709.82
- Capital Water: \$2623.75
- Capital Sewer: \$1093.56
- Grand Total: \$31584.98

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Motion

Motion was made by Trustee Fleming and seconded by Trustee Petraitis to authorize payment for said invoices. Motion passed unanimously.

Old Business

Dog Park – Deputy Mayor Wadach passed around a proposed open-air pavilion for the Dog Park. Current cost of a 12'x16' pavilion is going to be around \$6,200. This for the kit for the pavilion; it would still need to be assembled on premises. Deputy Mayor Wadach stated that this pavilion could be the entrance to the dog park, where individuals using the park would enter and swipe a card to enter the park itself. Accompanying the pavilion design was a layout showing where gates would be along with a proposed location of a water/wash area. Deputy Mayor Wadach did state that the cost of fencing has gone up significantly (doubled), therefore Ms. Gardner, who is donating the fence, is waiting a little bit to see if cost of materials starts to decline. Trustee Smith stated that a water line at the park is a top priority before the pavilion/concrete pads were to be poured and asked Mr. Luft if a line definitely could be run. Mr. Luft stated that he still has a slight worry about going past the high voltage area, but once past it should be good. He wants to also make sure he can have one connection to the water area.

New Business

American Hotel on PBS – Mayor Skiptunas relayed that he had received word that the American Hotel will be featured on PBS. A woman who holds a road show will be coming through Lima to feature the Hotel. She should be coming through town anywhere between Wednesday and Sunday to film. Mr. Luft and the DPW crew have been working diligently to get the downtown area ready for when she arrives (mulch, getting flags out, cleaning streets, etc.).

Northern Border Regional Commission – Deputy Mayor Wadach has been working on a grant application regarding bringing a Fiber Optic network to the Village of Lima. This would be a partnership with Empire Access. The grant would provide the Village with 80% funding; the Village would be responsible for the remainder 20%. The cost of the project would be around \$800k for Empire to run the cables. Empire has stated that they would pay for the laterals from the poles to each home. Empire would also be responsible for maintaining everything; however, the Village would own the fiber cables. Empire would also pay the Village \$10 a month per customer. Deputy Mayor Wadach passed around a financial analysis showing the estimated cost of a loan for the project, the estimated cost of debt service, and the number of customers necessary to make it so the Village does not have to pay any debt service out of pocket. Mr. Luft stated that he likes the thought of bringing the fiber to the Village, but is worried about the potential costs if there are not enough customers signed up as the budget is currently tight. Trustee Smith agreed with what Mr. Luft stated, but also said that with Covid many employers are shifting their way of running businesses and having an affordable/reliable internet service is vital. Trustee Petraitis stated that the Village should apply for the grant and see what happens. If awarded, then we could really start to pursue the necessary avenues for funding. See attached Resolution.

Deputy Mayor Wadach asked if there were any comments to be made regarding Local Law #3 before closing the public hearing. No comments made.

Motion

Motion made by Trustee Smith and seconded by Trustee Petraitis to close the public hearing for Local Law #3 of 2021 - Amending Chapter 185, Article XIII in Relation to Signage in the Village of Lima. Motion passed unanimously.

Motion

Motion was made by Trustee Smith and seconded by Trustee Petraitis to Adopt Local Law #3 of 2021 - Amending Chapter 185, Article XIII in Relation to Signage in the Village of Lima. Motion passed unanimously.

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Deputy Mayor Wadach asked if there were any comments to be made regarding the proposed 2021 water/sewer rate increases for Village of Lima residents. No comments made.

Motion

Motion was made by Trustee Petraitis and seconded by Trustee Fleming to adopt the proposed 2021 Water/Sewer Rate increases, effective billing 6/1/2021. Motion passed unanimously. Please list the new water and sewer rates here.

Roundtable Discussion

Deputy Mayor Wadach discussed having dog waste receptacles at the park. Trustee Petraitis stated that the Park Commission has been looking into these and there are several designs/sizes that can be purchased and placed around the park. Mr. Luft asked who would be responsible for emptying said receptacles and where they would be disposed of. He said that he would talk to Brian Crye about disposing of the bags at the WWTP; possibly putting these in with the sludge removal bags that go to Ontario County. Deputy Mayor Wadach and the Board understood Mr. Luft's concerns and stated that the Village should try 3 on a temporary basis to see if they work and how well they are used.

Deputy Mayor Wadach stated that he has received complaints of loose dogs on the trails. There are signs at the park that dogs need to be on a leash, but he wondered if there should be more. Mr. Luft and Deputy Mayor Wadach agreed that it may be a moot point since the dog park will be installed shortly and should cut down on dogs running loose on the trails.

Deputy Mayor Wadach discussed that he has received a couple calls from the Tubbs family about adding a Memorial at the park, either a flower garden or a serenity garden. He told the family that he would turn their request to the Park's Commission and have them take a look and come up with a plan. Trustee Smith stated that he has had a couple other families that have reached out about Memorials at the Park and the Commission is looking at the requests at hand and trying to come up with the best solution.

Lastly Deputy Mayor Wadach asked for an update with the General Code Project. Clerk Sackett stated that she had a Zoom meeting with Jeanie Sanders and Dena Shortino from General Code regarding the progress that has been made. Currently, the code has been gone through and recommendations for modifications have been made. Some of these are very small, such as changing a word to have the code make more sense, but other items will require more analysis. Attorney Lenahan said that he would work with Clerk Sackett to go through these recommendations and then we would bring to the board anything that requires more in-depth conversations.

Trustee Fleming asked how the Arbor/Electric Vehicle Day event went. Deputy Mayor Wadach stated that they had a great turn out for the event. All the trees were distributed and there were roughly 35 EV's at the event, with around 20 of the cars being Teslas.

Mr. Luft stated that there is a light out on Kober Dr. The resident whose house it is in front of has called multiple times to complain about the light being out, but since we currently own the street lights, we have no maintenance contract to have these fixed. Deputy Mayor Wadach said he would get in touch with NYPA to see if there is something that we can have done to have this light fixed.

Motion to adjourn meeting at 9:32pm was made by Trustee Petraitis and seconded by Trustee Smith. Motion passed unanimously.

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**VILLAGE OF LIMA
LOCAL LAW NO. ---- OF 2021
A LOCAL LAW AMENDING CHAPTER 185, ARTICLE XIII
of the Code of the Village of Lima**

Be it enacted by the Board of Trustees of the Village of Lima as follows:

That the Code of the Village of Lima, New York, Chapter 185, entitled “Zoning Law of the Village of Lima,” Article XIII, entitled “Signs and Billboards,” Section 185-59(C), entitled “Definitions,” is hereby amended and enacted to read as follows:

[The following definition is amended to read:]

PROJECTING SIGN – Any sign attached to a building and extending in whole or in part more than six inches beyond the building exterior; also referred to as a “BLADE SIGN.”

[The following definition is added:]

BLADE SIGN – See “PROJECTING SIGN.”

Be it further enacted by the Board of Trustees of the Village of Lima as follows:

That the Code of the Village of Lima, New York, Chapter 185, entitled “Zoning Law of the Village of Lima,” Article XIII, entitled “Signs and Billboards,” Section 185-63, entitled “Sign Regulations,” subsection 185-63(C), entitled “Commercial Sign Requirements,” be and hereby is amended and enacted to read as follows:

C. Commercial sign requirements.

...

2. Commercial and industrial uses.

- (a) The following standards apply to all signs associated with projects located in any commercial or industrial district when only one principal building, use, or activity is proposed or exists upon a single parcel of real property:

...

[2] Tenant identification signs. Tenants shall be allowed the following identification signs:

- [a] Wall Sign. Tenant shall be allowed one Wall Sign mounted to the building that is not more 4 feet high and 20 square feet in area.

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[b] Hanging or Blade Sign. Tenants shall be allowed one Hanging Sign or one Blade Sign that otherwise complies with this Chapter.

[c] Window Signs. Tenants shall be allowed Window Signs that otherwise comply with this Chapter.

[d] Awning Sign. Tenants shall be allowed Awning Signs that otherwise comply with this Chapter.

...

[4] [Sub-section 185-63-(C)2(a)[4] is deleted].

Be it further enacted by the Board of Trustees of the Village of Lima as follows:

That the Code of the Village of Lima, New York, Chapter 185, entitled “Zoning Law of the Village of Lima,” Article XIII, entitled “Signs and Billboards,” Section 185-63, entitled “Sign Regulations,” subsection 185-63(C), entitled “Commercial Sign Requirements,” be and hereby is amended and enacted to read as follows:

C. Commercial sign requirements.

...

2. Commercial and industrial uses.

...

- (b) The following standards apply to all commercial signs located in any commercial or industrial district where more than one principal building, use, or activity is proposed or exists upon a single parcel of real property, such as in the case of a shopping center, plaza, office complex, or park:

[1] Project identification sign. One project identification sign which identifies the name of the shopping center, plaza, office complex, industrial park, or facility as a whole and/or also identifies up to three individual businesses or tenants located at that shopping center, plaza, office complex, industrial park, or facility as a whole may be erected as either:

[a] A single- or double-sided Ground Sign of up to 16 square feet in area per side and not more than 12 feet in height; or

[b] A building-mounted Wall Sign of up to 20 square feet in area and no more than four feet in height.

[2] Tenant identification signs. Tenants shall be allowed the following identification signs:

[a] Wall Sign. Tenant shall be allowed one Wall Sign mounted to the building that is not more 4 feet high and 20 square feet in area.

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[b] Hanging or Blade Sign. Tenants shall be allowed one Hanging Sign or one Blade Sign that otherwise complies with this Chapter.

[c] Window Signs. Tenants shall be allowed Window Signs that otherwise comply with this Chapter.

[d] Awning Sign. Tenants shall be allowed Awning Signs that otherwise comply with this Chapter.

Be it further enacted by the Board of Trustees of the Village of Lima as follows:

That the Code of the Village of Lima, New York, Chapter 185, entitled “Zoning Law of the Village of Lima,” Article XIII, entitled “Signs and Billboards,” Section 185-64, entitled “Regulations Relating to Specific Sign Types,” subsection 185-63(E), entitled “Window Signs,” be and hereby is amended and enacted to read as follows:

D. Window signs.

...

(3) Basic rules.

...

(c) [sub-section (c) is deleted]

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VILLAGE OF LIMA

JOHN SKIPTUNAS, Mayor
JOHN WADACH, Deputy Mayor
JOSHUA PETRAITIS, Trustee
BRIAN SMITH, Trustee
CAROLYN FLEMING, Trustee

7329 EAST MAIN STREET
P O BOX 20A
LIMA, NY 14485-0820
(585) 624-2210
Email: clerk@villageoflima.us
<https://villageoflima.us/>

ELISSA SACKETT, Clerk-Treasurer
BEN LUFT, Supt. of Public Works
MATTHEW LENAHAN, Attorney

Northern Border Regional Commission Grant Application Resolution

Be it resolved that the Board of Trustees of the Village of Lima grants Mayor John Skiptunas the authority to sign all Northern Border Regional Commission Documents that legally or financially bind the Village of Lima. Furthermore it is resolved that Deputy Mayor John Wadach is granted the authority to prepare and sign all grant application documents. The Board of Trustees fully supports the goals of the Village's application to acquire grant funding to install a high speed fiber optic network in the Village of Lima and is committed to providing the matching funds required by the Northern Border Regional Commission.

The motion to approve the above resolution was made by Trustee Petraitis and was seconded by Trustee Smith at the Village of Lima Board of Trustees meeting held on May 11th, 2021 at the Lima Town Hall, 7329 E. Main Street, Lima, NY.

Deputy Mayor Wadach preformed a roll call vote of the board and the following votes were cast.

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

I attest that the above Resolution was approved by the Village of Lima Board of Trustees at their meeting held on May 11th, 2021.

Signed: Elissa Sackett Date: 05/11/2021
Elissa Sackett, Village of Lima Clerk-Treasurer

Affix Village Seal Below:



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TAX WARRANT

TO: ELISSA SACKETT (VILLAGE TREASURER)

YOU ARE HEREBY COMMANDED to receive and collect from the several persons names in the tax roll hereunto annexed, the several sums stated in the last column hereof opposite their respective named, being a total of \$570,991.89 for the following purposes:

For the Current Budget 2021-2022	<u>\$ 533275.00</u>
Ambulance 2021-2022 Levy	<u>\$ 22,179.00</u>
For Re-levied Sewer Rents and Charges	<u>\$ 15,537.89</u>
TOTAL	\$570,991.89

PER NYS SENATE BILL S 1453-B SECTION 3. THERE WILL BE NO RE-LEVY OF WATER RENTS AND CHARGES FOR THE 2021-2022 TAX COLLECTION.

YOU ARE FUTHER COMMANDED to receive and collect such sums without additional charge between the first day of June and the last day of June, both inclusive; and thereafter to collect with such of the sums as have not been therefore collected, an additional charge of five per centum for the first month or fraction thereafter until paid.

- (a) YOU ARE FURTHER COMMANDED to return the tax roll and warrant to the Village Clerk on or before the first day of February, 2022
- (b) , and to deliver to the Board of Trustees at the same time an account of the taxes remaining due and unpaid; describing each parcel of real property upon which taxes are unpaid, showing the person or persons to whom the parcel is assessed and showing as to each parcel the amount of tax unpaid.

We, the undersigned, do severally depose and swear that to the best of our knowledge and belief, we have set forth in the foregoing assessment roll all the real property situated in the assessing unit and with the exception of changes made by a board of review and special franchises assessed by the state board, we have estimated the value of such real property at the sums which we have decided to be the full value thereof.

Absent
John Skiptunas, Mayor

John B. Wadach
John Wadach, Deputy Mayor

Joshua Petraitis
Joshua Petraitis, Trustee

Brian Smith
Brian Smith, Trustee

Carolyn Fleming
Carolyn Fleming, Trustee