

Regular Meeting
July 9, 2019

Mayor: Carl Luft

Trustees: Jerry Warsaw John Wadach, Joe Schwing, John Correll

Supt. Public Works: Ben Luft

Recording Secretary: Linda Banfield

Guests: Tim Vandevelt (Fire chief), Charlie Floeser (CEO), George Gotcsik (Village Lot), Ben Frevert (Roctricity), Rick Trindel (Elm St.), Todd & Melinda Fleming (East Main St.), John Skiptunas (East Main St.), David Milne (7389 E. Main St.), Bob & Lisa Murphy (1146 Ideson Rd.), Paul Thomson (1723 Parkside Pl.)

MOTION

Motion made by Jerry Warsaw, seconded by Joe Schwing to approve the minutes of June 25, 2019 as submitted. Motion unanimously approved.

MOTION

Motion made by Jerry Warsaw, seconded by John Correll to approve abstracts A-2 for \$32,632.30, Ambulance #2 for \$11,528.18, F-2 for \$24,596.08, G-2 for \$7,410.29, Park Fund for \$3,590.00, Water Capital Project #2 for \$21,592.50 and Sewer Capital Project for \$1,448.50. Motion unanimously approved.

7:05 pm OPEN PUBLIC HEARING ON WATER RATE INCREASES

Fire Department reports for May and June were given to the Board. Fire chief reported that the upgrade to the reporting software does not seem like it will do the necessary work. Tim will try to get a free trial for it.

Discussion was held on Julia Bean's parking and the right of way in the Fire Dept. parking lot.

CEO report was given to the Board.

GEORGE GOTCSIK: George distributed a conceptual site design for the proposed Village Green which would be located on the vacant lot on the east side of the Town Hall. Funding would come from grant and individual contributions. George would like approval from the Board to re-form a steering committee to propose enhancements to the Village Green site.

MOTION

Motion made by John Wadach, seconded by Joe Schwing to authorize George to organize a steering committee to look at all possibilities for the Village Green site. Motion unanimously carried.

RESOLUTION

Resolution made by Jerry Warsaw, seconded by John Correll to approve resolution in support of preparing a proposal for an Opt-Out CDG Pilot Program that would allow village residents to obtain electricity from a solar array and result in a cost savings in their National Grid bill.

Whereas, in June 2019, the New York State Senate and Assembly enacted the Climate Leadership and Community Protection Act, that sets a road map for the State of New York, in accordance with the New York State Energy Plan, to produce 70% of its electricity from renewable sources by 2030, and 100% of its electricity from renewable sources by 2040;

Whereas, the Village of Lima ("**Municipality**") wishes to transition its community to using electricity that is generated entirely from renewable non-carbon emitting sources;

Whereas, effective April 21, 2016, the New York State Public Service Commission ("**PSC**") issued an "Order Authorizing Framework for Community Choice Aggregation ("**CCA**") Opt-Out Program" in Case #14-M-0224 "authoriz[ing]" the establishment of CCA programs by municipalities statewide (the "**CCA Framework Order**");

Whereas, CCA provides a mechanism for municipalities in the State of New York potentially to, among other things, take control of their energy supply and consumption, reduce costs, reduce carbon emissions, and move to 100% renewable sources of electricity;

Whereas, effective March 16, 2018, the PSC issued an “Order Approving Joule Assets [Inc., (“**Joule**”)] Community Choice Aggregation Program with Modifications” (the “**Joule Plan**”) in Case #14-M-0224 “approv[ing] Joule’s proposed CCA Program with modifications” (the “**Joule Order**”);

Whereas, effective July 17, 2015, the PSC, in a Proceeding on a Motion of the Commission as to the Policies, Requirements and Conditions for Implementing a Community Net Metering Program, Case 15-E-0082, issued an “Order Establishing a Community Distributed Generation (“**CDG**”) Program and Making Other Findings”;

Whereas, CDG is currently implemented in New York on an opt-in basis by agreement between a subscriber and the CDG Developer;

Whereas, existing CDG programs require subscribers to make payment for CDG to a CDG developer/owner, and in exchange, subscribers receive a credit on subscriber’s utility bill;

Whereas, the Joule Order permitted Joule to offer Community Distributed Generation on an Opt-out basis (“**Opt-Out CDG**”);

Whereas, Opt-Out CDG is a powerful mechanism from municipalities to catalyze the development of local renewable power plants;

Whereas, on July 11, 2017, the Village of Lima (“**Municipality**”) adopted local legislation, LL#2 of 2017, Community Choice Aggregation Program, enabling a Community Choice Aggregation Program (“**Municipal Program**”);

Whereas, on July 11, 2017, Municipality engaged the services of Joule as Program Administrator for the Municipal Program;

Whereas, Joule administers the Municipal Program with support from Roctricity, LLC as Local Organizer;

Now, wherefore, it is hereby **Resolved** that the Municipality authorizes Joule to enter into negotiations on Municipality’s behalf, with National Grid for an Opt-Out CDG pilot program whereby residents and businesses would pay for, and/or receive, CDG credits on a bill with National Grid; and

It is further **Resolved** that the Municipality authorizes Joule to prepare an Opt-Out CDG pilot program for approval by the Municipality and thereafter for submission to and approval from the New York State Department of Public Service; and

It is further **Resolved** that the Mayor is authorized to enter into any agreements on behalf of the Municipality in relation to an Opt-Out CDG pilot program consistent with this resolution in his reasonable discretion.

Resolution unanimously approved.

BEN FREVERT: (Roctricity) Ben gave an overview of the community Distributed Generation Program to the audience. National Grid and Roctricity are working on a pilot program to provide 100% renewable energy with a 9% decrease in price on their National Grid bill to village residents.

MOTION

Motion made by Jerry Warsaw, seconded by John Correll to authorize Mayor Luft to sign the CDG letter with the developer when it is finalized. Motion unanimously approved.

Mayor Luft gave some background on our water supply system and the upcoming Capital Project requiring the increase in water rates. Our water supply system is aged and the priority is to provide fresh, clean, reliable water to our residents. Our equipment in the pump house has been repaired and replaced with energy efficient elements. We are in the process of developing an emergency water supply source with the Village of Avon. The Water Tower will need to be painted inside and out. Lastly, water lines will be replaced on Rochester Street from the Lima Christian School up to St. Rose Church. A SAM grant in the amount of \$250,000.00 for the pump house project has been approved. The approximate cost of the remaining projects is 4,000,000.00. with a DEC grant providing about 60% of the costs. The remaining cost will need to be generated by our water customers. Mayor Luft opened the floor for comments.

BOB MURPHY; Mr. Murphy lives on Ideson Road and was concerned that the village increase could affect the Town water rates. He was assured that there would be no effect on his rates in his area of the Town Water District #1 due to this project. He also inquired if an emergency line could be extended into the Town Water District #1. That would be a project that would have to be undertaken by the Town of Lima.

MELINDA FLEMING: (East Main St.) Mrs. Fleming was concerned about her water bill which showed large variances quarter to quarter. She also mentioned that Honeoye Falls residents had a much lower water bill than her. Ben will check out her meter. It was explained that Honeoye Falls purchases their water from Monroe County and we buy water from the City of Rochester. Lima had inquired about purchasing water from the county but a study taking over a year would have to be done and the contract with the City had to be signed before a study could be completed.

JOHN SKIPTUNAS: John mentioned that there were some cost saving measures residents could take. These will be listed in our next newsletter.

Mayor Luft thanked the group for their interest.

Ambulance Report, Financial Reports, WWTP Report were given to the Board.

It was reported that children were using the ambulance parking lot for skateboard activities. A No Skateboarding sign will be put up.

Jobs Completed by Village Crew was given to the Board.

The Village crew will be blacktopping Elm Street from 5 & 20 to College Street and Parkside Place. Villager Construction is the low bid at \$4350.00. The job calls for 525 tons of type 6 fine blacktop. If the village buys and hauls it the cost is \$65.00/ton totaling \$34,125.00. Villager will put it down and mill for \$4350.00. The total price would be \$45,455.00. If Villager mills it and the Livingston County low bid of Hanson haul it and place it at \$90.26/ton, the total cost would be \$51,736.50.

MOTION

Motion made by Jerry Warsaw, seconded by John Correll to approve the low bid of Villager at \$4350.00 with the village purchasing and hauling the blacktop. Motion unanimously approved.

MOTION

Motion made by John Correll, seconded by Joe Schwing to pass the resolution by the Village of Lima approving and endorsing the Livingston County Development Corporation in its application to NYS Homes and community Renewal for funding under the New York Main Street Program.

WHEREAS, the Livingston County Development Corporation desires to apply for \$500,000 in financial assistance through the 2019 Consolidated Funding application (CFA) under New York Main Street Program; and

WHEREAS, the application proposes funding to assist property owners to complete building renovations to downtown “Main Street” buildings in the designated downtown districts of Avon, Caledonia, and Lima and

WHEREAS, the proposed funding will contribute to ongoing community revitalization efforts; and

WHEREAS, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the projects will be located.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Lima approves and endorses the 2019 New York State Main Street Program application for downtown building renovation assistance, prepared and to be submitted by the Livingston County Development Corporation.

Passed by the following vote of all Village Board Members voting in favor thereof:
Deputy Mayor Warsaw – aye, Trustee Correll – aye, Trustee Wadach – aye, Trustee Schwing – aye.
Resolution unanimously carried.

DAVE MILNE: (7389 East Main St.) Mr. Milne was here to complain about the sidewalk in front of his home. It is on a slope and water pools into it. Ben will look into the matter.

MOTION

Motion made by Jerry Warsaw, seconded by John Correll to adopt the Lima Town Park Master Plan Addendum 1. (see attached) Motion unanimously approved.

RESOLUTION

Resolution made by Jerry Warsaw, seconded by John Wadach:

WHEREAS, the Village of Lima is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under Title 9 of the Environmental Protection Act of 1993 for a park project to be located at Mark Tubbs Memorial Park, Ziegler Drive, Lima, New York, a site located within the territorial jurisdiction of this Village of Lima Board and

NOW, THEREFORE, be it resolved by this Village Board of Lima hereby does approve and endorse the application for a grant under Title 9 of the Environmental Protection Act of 1993 for a park project known as Mark Tubbs Park Enhancement and Accessibility Project 2019 and located within this community. And further, it is resolved that, said property shall be forever maintained by the Town and Village of Lima as a municipal park in this community consistent with the rules promulgated by OPRHP.

DATE OF ADOPTION: July 9, 2019

MOTION

Motion made by Jerry Warsaw, seconded by John Wadach to accept the Municipal Endorsement for the Park Grant Application. Motion unanimously approved.

MOTION

Motion made by Jerry Warsaw, seconded by John Correll to approve the transfer of \$21,500.00 from the Water Operating Funds to the Water Capital Project Fund. Motion unanimously approved.

Mt. Morris will hold a seminar on the FOIL Act on Aug. 13th. Trustee Wadach plans to attend.

Mayor Luft will offer a letter of support for the Town's application to the Strategic Planning and Feasibility Studies Program. Grant funding received will be used to conduct a market analysis and feasibility study related to food retail options in the Town of Lima.

MOTION

Motion made by Joe Schwing, seconded by John Wadach to approve Mayor Luft to sign a Letter of Support for the Town's project. Motion unanimously approved.

9:30 pm CLOSE PUBLIC HEARING ON INCREASING WATER RATES

Discussion was held on the water rates.

MOTION

Motion made by John Wadach, seconded by Joe Schwing to approve the water rate increases of: \$53.00 < 5,001; \$72.00 up to 10,000 gls. and an additional \$6.10/1000 gls. over 10,000 gls. Out of district rates: \$65.80 < 5001 gls.; \$89.22 up to 10,000 gls and an additional \$7.30/1000 over 10,000 gls. Motion unanimously carried.

Trustee Wadach reported that National Grid is seeking to charge extra fees on "Smart Control" LED lights. The New York Power Authority will investigate this.

Trustee Correll has received complaints about the high grass at the Park. People are concerned about ticks and the issue of trash being thrown in the high weeds. Discussion was held. The grass will be cut down in the Fall.

Trustee Warsaw reminded the Board that Aug. 2, 3, 4 are Crossroads and Blues Festival.

Attorney Kruk has received an easement form from National Grid to allow an electrical transmission line to run from the Village's solar array along the east side of the Ambulance Base to the power pole on W. Main Street.

MOTION

Motion made by Jerry Warsaw, seconded by Joe Schwing to authorize Mayor Luft to sign the EFC Project Finance Agreement for the Water Improvement Project. Motion unanimously approved.

Due to the fact that 3 out of 5 Board members are unable to attend the Aug. 20th Joint Board meeting, the Board decided to hold the meeting on Oct.15th at 7:00 pm.

10:00 pm MOTION TO ADJOURN