

Village of Lima Board Meeting

April 25th, 2023

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

Others Present: Matthew Lenahan, Attorney; Elissa Sackett, Clerk; Ben Luft, DPW Supervisor; Residents Theresa Chiarelli, Tracy Scanlon, Steve Werner (arrived at 8:20pm), and Ron Blodgett (arrived at 8:20pm).

Absent: None

The meeting of the Village of Lima was called to order by Mayor Skiptunas at 7pm Tuesday, April 25th, 2023, at Lima Town Hall, 7329 E. Main St.

Motion

Motion was made by Trustee Petraitis and seconded by Trustee Fleming to approve meeting minutes from April 11th, 2023. Motion passed unanimously.

Mayor Skiptunas started the meeting by praising the board and employees for all their hard work and dedication to bettering the Village of Lima. He has attended many meetings with neighboring communities and has received many compliments about the Village. Once finished, he swore Deputy Mayor Brian Smith into office.

Public Hearing for Local Law #6 of 2023, Revision of the Village of Lima Sign Code was opened on March 28th, 2023. Mayor Skiptunas asked the audience for any public comment. No comments were made.

Attorney Lenahan stated that the Sign Code falls under Type II SEQRA. See attached SEQRA Resolution.

Motion

Motion was made by Deputy Mayor Smith and seconded by Trustee Petraitis to close the public hearing for Local Law #6 of 2023, Revision of the Village of Lima Sign Code at 8:10pm. Motion passed unanimously.

Motion

Motion was made by Trustee Fleming and seconded by Trustee Petraitis to adopt Local Law #6 of 2023, Revision of the Village of Lima Sign Code. Vote was the following:

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

Public Hearing for Review and Adoption of the 2023-2024 Village of Lima Budget was opened at 7:05pm. Mayor Skiptunas asked the audience for any public comment. No comments were made.

Motion

Motion was made by Deputy Mayor Smith and seconded by Trustee Petraitis to close the public hearing for the 2023-2024 Village of Lima Budget at 8:10pm. Motion passed unanimously.

Motion

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Motion was made by Deputy Mayor Smith and seconded by Trustee Petraitis to adopt the 2023-2024 Village of Lima Budget. Vote was the following:

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

Guests

Theresa Chiarilli – Ms. Chiarilli was present to discuss a garbage issue on Dalton Rd. She informed the board that someone has been dumping a lot of garbage along Dalton Rd. and that there was a turkey disposed of along the side of the road that had its feet cut off. The board asked where along Dalton Rd. the issue was, and she stated was near the intersection of Dalton Road and Honeoye Falls Lima #6 Rd. Mayor Skiptunas informed Ms. Chiarilli that unfortunately the location is outside of the Village, therefore the Village board has no jurisdiction. He said he would be more than happy to relay the information to the Town Supervisor and Town Highway Superintendent and recommended that she contact them as well during business hours.

Steve Werner – Mr. Werner gave an update on the Great Pumpkin Festival being held in October. He received signs he had ordered from Copy Town and has started to place them around the Town/Village. He has received a quote for insurance for the festival and will purchase it in September and have both the Town and Village named as additional insured. The Crossroads Church has agreed to allow parking in their parking lot for the day, the Sheriff's department is aware and will be assisting, and a chicken barbeque will be held to fundraise for the Boy Scouts and Cub Scouts, and Rotary will be setting up their Hot Dog Hut. The kick-off meeting will take place April 29th at the Lima Town Hall. At that time pumpkin and sunflower seeds will be handed out to those who wish to participate in the pumpkin and sunflower growing contests. Mr. Werner will continue to keep the Village board updated with the progress of the festival.

DPW – Ben Luft

Mr. Luft gave updates on the park. He has ordered/delivered all the cleaning supplies for the bathrooms and delivered the leaves and topsoil for the community garden. The water is currently turned off to the dog park hydrant, as it has been getting cold overnight and he does not want the line to freeze, but he anticipates turning it on this Friday.

Bids were received for the electric mowers and electric UTV for the NYSERDA project. The Village only received one bid from LandPro. Both the mowers and the UTV are from the GreenWorks product line. The order has been placed and LandPro anticipates delivering the electric mowers by the end of next week, and the UTV within two weeks. The Village has not received the 25% deposit from NYSERDA yet, so Trustee Wadach will follow up on the status.

Mr. Luft informed the board that both Terry (last name) and Aaron (last name) have passed their grade C water license exams. In early April they passed their grade D Water license exams. The next step is to set up a meeting with the Department of Health to finish completing the

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requirements for their water licenses. Mr. Luft anticipates that this will be completed within the next few weeks. He also said Dave Kirkwood goes in June for his lab course for sewer and then he will be signing up for his sewer license testing.

May is going to be a very busy month for the DPW. Town and Village Clean-Up is being held next week with the Town. Thursday, May 4th the crew will be completing pick-ups for seniors who have signed up, and then they will continue to work with the Town for the clean-up. Currently the crew is cleaning and sweeping downtown, banner and flags will be installed, old mulch will be removed and replaced with new mulch. Once all that is completed, flower pot posts will be installed, and flowers will be ordered and displayed along the downtown area.

Lastly, Mr. Luft was approached by Tony Tondrak regarding a new building on his property located on the west side of Dalton Road. Mr. Tondrak is building a new storage garage at the front of his property and wishes to have water and sewer run to it. Mr. Luft discussed this with Supervisor Falk as Mr. Tondrak is within the Town limits. According to Supervisor Falk, Mr. Tondrak's property would be eligible at his expense to hook onto the Village sewer if the Village allowed. The board discussed and stated that Mr. Tondrak would be allowed to hook into the system and will need to pay the necessary connection fees to do so.

Clerk Report – Elissa Sackett

Clerk Sackett informed the board the public hearing for adoption of the updated code is scheduled for the May 9th meeting. She requested approval for an individual renting the pavilion at Mark Tubbs Park to be authorized to have a DJ. The event is a 70th birthday party and the individuals renting have already placed a non-refundable deposit for the DJ. The board agreed if the music was played inside the pavilion and they were respectful of others in the park and the surrounding neighborhood.

Mr. Luft had been in communication with Progressive insurance regarding the individual who hit the "Welcome to Lima" sign on East Main Street last year. Based on the claim and information Mr. Luft provided, Progressive has agreed to pay the Village \$548.16 for damages. Mr. Luft said he was ok with the amount being paid to the Village, and the board agreed. The claim form was signed by Mayor Skiptunas.

March financials were passed around for the Village board to review. Financials included statement of accounts, as well as year-to-date budgets to actuals. Clerk Sackett reviewed a couple accounts, and informed the board that next month the General account will have a large withdrawal as the Sidewalk Bond Anticipation Note is coming due.

Lastly, several invoices were available to the board for review/approval. Payments were the following:

- Ambulance Fund: \$1020.24
- General Fund: \$9661.70
- Sewer Fund: \$14531.99
- Water Fund: \$19367.90
- Capital Water: \$1591.00
- Capital Sewer: \$520.89

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- Grand Total: \$46693.72

Trustee Wadach questioned the SkyPort IT charges for Microsoft 365. It was not clear the locations for all the licenses. Clerk Sackett contacted Dan Marcellus to inquire about the charges. Update was received on April 26th from Mr. Marcellus and the email was forwarded to the board for review.

Motion

Motion was made by Trustee Petraitis and seconded by Trustee Fleming to authorize payment for said invoices, except for the SkyPort IT bill for Microsoft 365. The bill is authorized once locations of the Microsoft 365 licenses have been identified. Motion passed unanimously.

Old Business

Short Term Rentals – Trustee Fleming passed around a draft of the Short-Term Rental Law that she has been working on. Resident Tracy Scanlon was also given a draft to read/review as she currently owns a short-term rental within the Village of Lima. The board discussed several areas of the draft law and how this could be shaped to fit the Village’s needs. Ms. Scanlon gave a list of recommendations as well for the board to discuss. Mayor Skiptunas stated that he will be attending the NYCOM Spring Conference within the upcoming weeks and will be attending a session on Short Term Rentals. He also plans to discuss the law with other Mayors at the conference and discuss his findings at an upcoming Board Meeting.

Tree Planting Project – Mayor Skiptunas, Trustee Wadach, Attorney Lenahan and Clerk Sackett attended a meeting with Gregg Lerman and Stephen Filler of Joule Assets to discuss the Tree Planting Project. Joule had informed Josh Landscaping that due to financial constraints, they would not be able to pay for the project as promised. During the meeting, Joule acknowledged that the Village is owed the money as stated, and they anticipate being able to reimburse the Village within the next two quarters (6 months) for the 40% deposit already expended by the Village for the project (\$13968), however they did not have a timeframe when the remainder of the project could be paid as it was not currently in their budget. Trustee Wadach had a conversation with Josh Landscaping to discuss the predicament, and after conversation Josh’s Landscaping will not allow the Village to withdraw from the project. The Village will need to pay for the project out of fund balance, with the hope of being reimbursed by Joule Assets. Attorney Lenahan had a conversation with counsel for Joule Assets and said that the Village is owed these funds, the Village has multiple documents acknowledging that the funds are owed to the Village, and that repayment will need to happen on a timely schedule. Attorney Lenahan will continue to discuss a repayment contract with Joule Assets.

Motion

Motion was made by Trustee Petraitis and seconded by Deputy Mayor Smith to authorize Trustee Wadach to contact Josh Landscaping and inform them the Village will be moving forward with the project, and to authorize Attorney Lenahan to create a repayment plan/contract with Joule Assets to be reimbursed for the tree planting project. Motion passed unanimously.

New Business

Procurement Policy Update – Attorney Lenahan and Mr. Luft discussed the current Procurement Policy and requested a change to Guideline 4: Contracts for Public Works. The current Procurement Policy states the following:

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- Purchasing goods less than \$20,000 but greater than \$7,000 requires a written request for a proposal (RFP) and written/fax quotes from three vendors.

Request was made to keep the less than \$20,000 dollar amount but increase the greater than from \$7,000 to \$10,000 due to the increase costs of goods and services.

Motion

Motion was made by Trustee Wadach and seconded by Trustee Fleming to amend the Procurement Policy to read: Purchasing goods less than \$20,000 but greater than \$10,000 require a written request for a proposal (RFP) and written/fax quotes from three vendors. Motion passed unanimously.

Roundtable Discussion

The following information was discussed during the roundtable:

Trustee Wadach:

- Inquired about the status of the dog park. The permitting process will be starting, but we are still waiting for the lock adapter which has been delayed until the end of the month. The Parks commission is still discussing and trying to work out a plan to install the concrete pad at the entrance of the dog park. Deputy Mayor Smith suggested that the dog park have its own group of volunteers to help manage, much like the garden club. Trustee Wadach asked about the Park Commission opening a 501c3. It is very costly and would be funded by donations if it were to be pursued.
- Chief Rose forwarded information to Trustee Wadach regarding retirement contributions for active Fire/EMT personnel. This will be discussed further at another meeting. Discussions were held about passing a local law to enact the 10% tax exemption for active Fire/EMT personnel who reside within the Village of Lima. A draft Local Law will be presented at the next board meeting.
- Community garden has approximately 4 plots left for rent for this year.
- Trees for Arbor Day celebration are set. Notice of the event will be sent to the Sentinel and Pennysaver as in years past.
- Met with Empire Access about the Fiber project. Trustee Wadach notified Empire Access that the Village would require approval by Ben Luft and plans stamped by a licensed professional engineer attesting that all work will be located within the Village rights of way, no safety hazards will be present either during or after construction, and that the specifications will provide Village residents with excellent internet capabilities. These requirements need to be completed before the project goes out for competitive bid.
- Discussed the cost of the firehouse fax and phone line that are rarely in use. Cutting the fax line and going to Ooma would save the fire department close to \$1500 per year.

Deputy Mayor Smith:

- Asked if there were any comments to the Crossroads Festival Guidelines that were passed out last meeting – No Comment.
- Discussed lifting the open container law and extending quiet hours for Crossroads Festival. Trustee Wadach asked that the Crossroads Committee provide the Village of Lima with a list of all activities proposed on the Village owned municipal parking lot along with documents certifying that each activity is properly insured and have the necessary state and/or county permits. Will discuss again at the next board meeting.

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Meeting Adjourned at 9:02pm.

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

***A Resolution Approving the SEQRA Process for the adoption of the amended
Village of Lima Sign Code***

April 25, 2023

WHEREAS, the Village of Lima (“**Village**”) is a municipal corporation located in the County of Livingston, State of New York; and

WHEREAS, the Village has drafted an amended and revised sign code for the Village; and

WHEREAS, a duly-noticed and advertised public hearing was held on the proposed sign code at the regularly scheduled Village Board of Trustees meeting on March 28, 2023, and that hearing was held open for the April 11, 2023 and April 25, 2023 meetings, purpose of encouraging additional public comment; and

WHEREAS, the Village has received comment and feedback on the proposed sign code from the Livingston County Department of Planning, the Lima Joint Town/Village Planning Committee, the Village of Lima Historic Preservation Committee, as well as from various residents of the Village; and

WHEREAS, the Village Board of Trustees has appointed itself the Lead Agency for purposes of review under the State Environmental Quality Review Act (“**SEQRA**”), and having filled out and duly considered Part I of the Environmental Assessment Form, has determined that this is a “Type II” action with no further SEQRA review required; and

NOW, THEREFORE, be it resolved by the Village Board of Trustees as follows:

1. The Village Board of Trustees hereby designates itself the lead agency for purposes of SEQRA review and hereby determines this to be a “Type II” action that requires no further environmental investigation.

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CERTIFICATION OF THE VILLAGE CLERK:

Elissa Sackett
