

## **Village of Lima Board Meeting**

April 27<sup>th</sup>, 2021

**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; Jane Radomski, Deputy Clerk; Tim Vandevelt and family, Retired Fire Chief; Amanda Cates, Lima Ambulance.

The meeting of the Village of Lima was called to order by Mayor Skiptunas at 7pm Tuesday, April 27<sup>th</sup>, 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 13<sup>th</sup>, 2021. Motion passed unanimously.

### **Guests**

#### **Tim Vandevelt, Retired Fire Chief**

Mayor Skiptunas invited Mr. Vandevelt and his daughters to the meeting to thank him for his service and dedication to the Lima Volunteer Fire Department. Mayor Skiptunas also thanked his daughters for being supportive of their father when he is out on the front-line fighting fires and for the time it takes away from family. Mayor Skiptunas passed out flowers to Mr. Vandevelt's children, and presented Mr. Vandevelt with a glass that was engraved and had a fire axe through it as a gesture of gratitude. Mr. Vandevelt again thanked Mayor Skiptunas and the board for all their support over the years.

#### **Amanda Cates, Lima Volunteer Ambulance**

Ms. Cates was at the meeting to discuss the upcoming National EMS Week which is held the week of May 17<sup>th</sup>. Ms. Cates stated that the Ambulance is looking at this as an opportunity to encourage and recruit new members. May 19<sup>th</sup> falls in the middle of the week and Ambulance is looking to host a family friendly event. She presented the option of holding a parade for families/children. This would be a walking parade where children could create their own floats. Locations were discussed such as the Ambulance parking lot, the old Save-A-Lot parking lot and the Presbyterian Church parking lot. Trustee Fleming and the board agreed that the Presbyterian parking lot would be a good option considering the space. Mayor Skiptunas asked if this event could be something that could be done in correlation with the Memorial Day Parade. Ms. Cates stated that the event could be held at any time. The board was in favor of the Ambulance holding such an event.

Mayor Skiptunas asked Ms. Cates if she knew if there was an update on the recent flycar purchase. She stated that she knows the vehicle has been purchased, however they are waiting to get all of the new decals on the vehicle. Trustee Smith asked Ms. Cates if he could get together sometime to tour the facility; Ms. Cates replied yes and stated that she actually would like to get together with him as she has some grant applications that she would like to discuss. She also informed the board that the Ambulance next board meeting will be held May 12<sup>th</sup>, 7pm at the Ambulance if anyone wishes to attend.

#### **DPW – Ben Luft**

Regarding the Crew: Mr. Luft stated that it was time for the clothing allowance to be dispersed to the crew (semi-annually). He explained that twice a year each member of the crew receives \$300 to go towards any items that they may need (shirts, boots, etc.). Over the years it was found that doing it this way is cheaper than the Village contracting with a uniform service. Mr. Luft also discussed that he would like to promote Alex White from seasonal employee to full time status effective 5/2. Alex is working out very well and he does not want to lose him. He would be at his current rate of pay for another 3 months (6-month probationary period). After that he would be eligible for a salary increase. Being a permanent employee would make him eligible in the future to take licensing for water and possibly sewer.

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### ***Motion***

Motion was made by Deputy Mayor Wadach and seconded by Trustee Petraitis to promote Alex White from seasonal to permanent employee status effective 5/2/2021. Motion passed unanimously.

Mr. Luft gave an update on the Water Tower project. The Foreman of the contracting crew is currently out sick; therefore, the crew is in quarantine for the time being. The Village had initially set a deadline for 5/1 for the necessary items to be fixed (popping of paint), however it needs to be fixed correctly so if more time is needed then so be it. Mr. Luft agreed, but stated he is hoping the crew can get back out there sooner than later so he does not have to drain the tank again.

Mr. Luft gave an update on the dump truck purchase. He said that like everything else Van Bortle is delayed in getting the vehicle in. He said that more than likely we will receive the truck in July, so he is going to use the current one only as needed. Since the truck will not be received until July, we will miss the May auction, but it will go to auction in September.

Lastly, Mr. Luft discussed recent vandalism at Mark Tubbs Park. Kids have been burning the picnic tables and have painted the bathrooms. He has on camera several kids down at the park, but the camera does not show them in the act. He has been in contact with the Sherriff's Department and they will be going down to the park to do a patrol between 4pm and 6pm daily. Mr. Luft stated the kids appear to be between 8<sup>th</sup> and 10<sup>th</sup> grade. Deputy Mayor Wadach stated that he will start locking the gate at night around 9pm.

### **Clerk Report – Elissa Sackett**

Clerk Sackett passed around the updated budget for everyone. It was noticed after the Board approved the budget, that the salaries did not carry over properly from the first budget draft. This has since been corrected by EFPR Solutions, however an amendment to the budget needs to be completed.

### ***Motion***

Motion was made by Deputy Mayor Wadach and seconded by Trustee Petraitis to amend and adopt the corrected 2021-2022 budget. Motion passed unanimously.

Clerk Sackett passed around a proposal from Brisbane Consulting Group regarding the purchase of Accufund Accounting Software. If the software was purchased the monthly accounting could be completed in house rather than outsourcing it to EFPR Solutions. Accufund offers two different models that the Village could purchase. The first is an "On Premise" Solution, which would be purchasing the software and having it on our own server. This would mean a bigger up-front cost (\$4650), but after the initial cost there would be only a yearly licensing fee for using the software (\$558). The second option is a "Cloud Based" option, which would mean that the Village would pay a monthly service fee for using the system, but everything would be web based and data would be stored in the cloud (\$462). Also, if any updates ever needed to be completed to the system, these would automatically happen. If the Village were to bring back in house the Accounting, we would need to find vendors for our Budget, AUD, and payroll. Clerk Sackett stated that she had ran some tentative figures, if the Village were to have Bernard Donegan's office complete the AUD and budget as they had in years past, plus going back to a different payroll company, the Village could still have a significant savings in the first year (estimated around \$5000). Trustee Smith asked if there were any issues that we may run into if we transition from EFPR to in house accounting. Attorney Lenahan stated that they do take care of anything compliance related, and Clerk Sackett stated that most of the compliance related items are payroll related. If the Village were to part ways and use another payroll company, they would take care of all of the compliance documents currently done by EFPR.

### ***Motion***

Motion was made by Deputy Mayor Wadach and seconded by Trustee Smith to authorize Clerk Sackett and Mayor Skiptunas to move forward with research and conversion to in-house accounting with

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Accufund, as well other services pertaining to the budget, AUD, and payroll. Motion passed unanimously.

Clerk Sackett and Attorney Lenahan stated that they both would need to be available for several upcoming dates pertaining to the Bond Anticipation Note (BAN). The note sale will be held on May 13<sup>th</sup> at 11:15 am, execution of note closing documents will be between May 18<sup>th</sup> and May 24<sup>th</sup>, and Note Closing will be held on May 28<sup>th</sup>.

### *Motion*

Motion was made by Deputy Mayor Wadach and Trustee Petraitis to authorize Clerk Sackett and Attorney Lenahan to execute closing documents in regards to the Bond Anticipation Note on the dates as stated above. Motion passed unanimously.

Clerk Sackett stated that Brian Crye (WWTP Operator) had emailed her a quote for bags to bring to the Board. The requested bags are woven polypropylene bags used in the sludge dewatering process, and the quote is for 10,000 said bags. United Bags Inc. was the cheapest quote coming in at \$5900; Mr. Luft verified that the price was good and that is who they have purchased from before.

### *Motion*

Motion was made by Deputy Mayor Wadach and seconded by Trustee Petraitis to authorize Mr. Crye to purchase 10,000 woven polypropylene bags from United Bags Inc. for \$5900. Motion passed unanimously.

Lastly, several invoices were available to the board for review/approval. Totals from each fund are the following:

- Ambulance Fund: \$851.69
- General Fund: \$36074.77
- Sewer Fund: \$6903.80
- Water Fund: \$27890.71
- Capital Water: \$5083.10
- Capital Sewer: \$5504.00
- Grand Total: \$82307.07

### *Motion*

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

### **Old Business**

**Zoning Law Change** – Attorney Lenahan passed around a draft of the proposed Zoning law changes. There were a couple minor changes that need to be made prior to the Public Hearing on May 11<sup>th</sup>. Attorney Lenahan stated that in regards the proposed parking changes, the parking code is roughly 62 pages long. The business in question that would have issues with the parking had received a waiver so Attorney Lenahan asked if the board would like to remove editing the parking code from the upcoming changes. The Board agreed to focus solely on signage changes. Once corrections are made, Attorney Lenahan will forward to Clerk Sackett for residents to view if requested.

**NY Stretch Energy Code** – Attorney Lenahan asked if the Board wished to vote on the adoption of the NY Stretch Energy Code as it was table from last meeting to this one. See attached adopted law.

### *Motion*

Motion was made by Deputy Mayor Wadach and seconded by Trustee Smith to adopt Local Law #2 of 2021; Adoption of the NY Stretch Energy Code. Motion passed unanimously.

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### **New Business**

**Water District Study** – Mayor Skiptunas stated he had met with Supervisor Falk. He was informed that Clark Patterson is currently conducting a study to create a water district for the Town by tapping in to the Hemlock Line. He stated that the line would go around the Village through the Livingston County Water and Sewer Authority (LCWSA). If possible, the Village could look at being added in down the road as well. He also stated that currently LCWSA is conducting a “Dog Water” survey. This is going out to homeowners to make sure that there is accountability for all dogs in the county.

**American Recovery Stimulus** – Mayor Skiptunas stated the formula is yet to be determined, therefore the Village is still unsure as to the amount in which they will receive. It is stated that the Town will receive approximately \$400 - \$800k and funds are 50% in advance to the Village and the Town. There are only specific items the funds can be used for. Anticipation is July for the formula to be released, and funds to be received by September.

**Marijuana Dispensaries in Village** – With legislation changes regarding marijuana, the Village can either decide to opt-in or opt-out of the program. If the Village were to opt-out (cannot sell marijuana or have dispensaries located inside the Village), then choose to opt-in, they cannot opt back out again. If the Village were to opt-out of the program, then they would not receive any of the tax revenue from the sales. Trustee Smith suggested it be something to consider and stated that other businesses are legal such as liquor stores, or bars in town. Attorney Lenahan stated that it is such a gray area and more guidance needs come out on the topic.

**Planning Board Invite** – Mayor Skiptunas stated that it would be a good time to invite the Planning Board to a Village Board Meeting. There are items that are being brought before the Planning Board that the Village is unaware of. The Board also wishes to have clarification regarding the Pathstone Project. Last the Board was aware the project had stopped as the PILOT (payment in lieu of taxes) had been rejected by the Board. CEO Floeser informed the Board at a prior meeting that the Pathstone Project was again before the Planning Board and it appeared to still be an on-going project. It was also mentioned that there are quite a few vacant lots in the Village that could possibly be developed and to see if this is possibly something the Planning Board could help with. If owners were willing to sell current vacant lots, new homes could be built which would increase property values. It was discussed to have CEO Floeser start to note all the vacant lots in the Village.

### **Park Commission**

**Memorial Trees** – Trustee Smith said that there have recently been 2 requests for memorial trees at the park. He has reached out to Andy Britton regarding this. Mr. Britton stated that an expected cost for trees that would survive it would be approximately \$500 per tree for everything (tree, digging, etc.). Trustee Smith stated the Park Commission discussed possibly having a memorial grove or a memorial trail. Discussions would still need to be made as to how the trees would be paid for, and there needs to be extra clarification so the DPW is not on the hook for the trees. Trustee Smith did state that currently there is very little stock in trees due to the snowstorm in Texas this past year.

**Tree Planting** – Deputy Mayor Wadach stated that he has put flags down at the park where trees for the Arbor Day event would be planted. Each flag is labeled with the type of tree that would be planted. The Park Commission can take a look and see if these areas are agreeable for planting. Trustee Smith stated that it was discussed to possibly add a Nursery somewhere in the park so in the future these saplings will survive once planted in the park. Deputy Mayor Wadach and the Board agreed that this would be a great idea to have at the park.

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**Fundraiser for ADA Equipment** – Trustee Smith stated there has been a lot of interest from individuals and local organizations to participate in a fundraiser to purchase ADA Equipment for Mark Tubbs Park. Trustee Smith discussed the Civil War reenactors are looking to do an event titled “Cannons for Cannon”. This event could be held in correlation with the 4<sup>th</sup> of July where individuals would be able to “shoot the cannon” for a donation. They had also discussed that someone could shoot the cannon to start the fireworks for a higher fee. This could be auctioned off, or a 50/50 raffle. Trustee Smith said he would meet with Young Explosives regarding where the Madison Light Artillery (reenactors) could be located. Trustee Smith also stated that the group does have their own umbrella insurance as well as a Safety Officer that is on premise. Mayor Wadach suggested reaching out to Chris Held and having tee shirts made for the fundraiser for the volunteers, that way individuals know who they should be giving donations to.

**Dog Park** – Deputy Mayor Wadach stated that he had met with Cathy Gardner at the park. The area that is designated for the dog park will need to be tilled and seeded again. Posts are down there marking the park. It was asked if someone could make a concrete basin for the dog park (like a shower basin) to wash off the dogs. It was also mentioned again that CEO Floeser had stated that he would help on the project as well regarding the open-air pavilion.

**Mark Tubbs Facebook Page** – Trustee Smith stated that there was already an existing Facebook page for Mark Tubbs Memorial Park which had a good following already. He stated that it appears the individual who used to run it has since passed away. He has reached out to Facebook to see if he can become the moderator for the existing Facebook page.

### **Roundtable Discussion**

Mayor Skiptunas stated that there is a NYCOM Convention in June that he would like to attend. This is a training being held at the Sagamore Hotel, Bolton Landing from June 9-11.

#### *Motion*

Motion was made by Deputy Mayor Wadach and seconded by Trustee Smith to authorize Mayor Skiptunas to attend the NYCOM Convention. Village will pay for room, registration and mileage for the event. Motion passed unanimously.

Mayor Skiptunas received a request from the VFW for a donation. The request stated that there was a line item for a request regarding a donation. Deputy Mayor Wadach and Mr. Luft stated that they do not remember there being any item in the budget designated for VFW donation. Mayor Skiptunas stated he would reach out to the VFW for more clarification.

Lastly Mayor Skiptunas received a new Volunteer Firefighter Application for William Cleveland. Mr. Luft stated Mr. Cleveland is currently a member of the Lima Ambulance and is looking to become a member of the Fire Department.

#### *Motion*

Motion was made by Deputy Mayor Wadach and seconded by Trustee Petraitis to approve William Cleveland as a Volunteer Fire Fighter, pending a DMV check. Motion passed unanimously.

Trustee Smith asked if there was an issue with insurance regarding the Crossroads Open Container. Attorney Lenahan stated that there have not been insurance issues previously, just to define the areas that are open for consumption for liability reasons.

Trustee Smith also asked if he could receive a copy of where the Ag. Lines are in regards to the upcoming Empire Access. Mayor Skiptunas stated he would pass those along to Trustee Smith and that he had an upcoming meeting with Louise Wadsworth to discuss as well.

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Deputy Mayor Wadach asked if the letters had been sent to homeowners regarding the sidewalk project. Clerk Sackett stated that Deputy Clerk Radomski had printed and sent to all homeowners that will be affected by the upcoming sidewalk project.

Deputy Mayor Wadach asked if there was any update regarding the condemned property on McDonald Drive. Attorney Lenahan stated that Pat Nicoletta had been in touch with CEO Floeser and that the appropriate paperwork was in motion.

Lastly, Deputy Mayor Wadach asked how the Beacon upgrade went (new water/sewer Trimble and software). Clerk Sackett stated that the upgrade went smoothly. Loading the Trimble and the reads went well. Mr. Luft was able to read meters no problem and once connected to the Wi-Fi at the DPW Shop, all the reads automatically transferred into the system. Mayor Skiptunas asked Mr. Luft if he had received the “holder” for the Trimble. Mr. Luft stated he had not but there was one on order.

Attorney Lenahan requested an Executive Session to discuss personnel matters.

### ***Motion***

Motion was made by Deputy Mayor Skiptunas and seconded by Trustee Petraitis to enter Executive Session at 9:43pm to discuss personnel matters per Attorney Lenahan’s request. Motion passed unanimously.

Executive session closed at 9:53pm; meeting was adjourned.

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VILLAGE OF LIMA  
**LOCAL LAW NO. 2 OF 2021**  
A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF LIMA  
TO ADD A NEW CHAPTER ENTITLED "ENERGY CODE."

**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, be and hereby is amended and enacted to read as follows:

**§ \_\_-1. Title.**

This Local Law shall be known as the Village of Lima Stretch Energy Code.

**§ \_\_-2. Legislative Purpose.**

This Local Law is enacted to protect and promote the health, safety and welfare of the inhabitants of the Village of Lima by mandating energy efficient building standards through the adoption and implementation of the NY Stretch Energy Code of 2020

**§ \_\_-3. Adoption of the NY Stretch Energy Code of 2020.**

Effective immediately, the NY Stretch Energy Code 2020, published by the New York State Energy Research and Development Authority, shall be applicable to all new construction and substantial renovations in the Village of Lima.

**§ \_\_-4. Authority.**

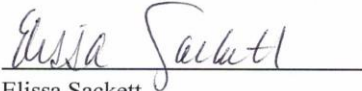
This law is enacted pursuant to New York Energy Laws § 11-109(1), and Municipal Home Rule Law § 10, and in accordance with the procedures detailed in Municipal Home Rule Law § 20.

**§ \_\_-5. Administration; Enforcement.**

Except as otherwise specifically provided by law, ordinance, rule, or regulations, the Code Enforcement Officer shall administer and enforce all of the provisions of the NY Stretch Energy Code 2020 and any updates thereto, along with all other laws, rules, ordinances, and regulations applicable thereto, for all new construction and substantial renovations after the effective date in the Village of Lima.

**§ \_\_-6. Effective Date.**

This law shall take effect upon filing with the Secretary of State pursuant to the New York Energy Law § 11-109(1) and the Municipal Home Rule Law.



Elissa Sackett  
Village Clerk

(seal)

