

Village of Lima Board Meeting

September 28th, 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; Charlie Floeser, CEO; Residents Joshua and Traci Scanlon, Dick Dreyer, Ryan Morris, Kurt and Heidi Kipfer.

The meeting of the Village of Lima was called to order by Mayor Skiptunas at 7pm Tuesday, September 28th, 2021 and opened with the Pledge of Allegiance.

Motion

Motion was made by Trustee Petraitis and seconded by Trustee Smith to approve meeting minutes from September 14th, 2021. Motion passed unanimously.

Guests

Traci and Joshua Scanlon – Ms. Scanlon was present to discuss recent concerns regarding her Airbnb on Parkside Place. She read a letter she had written to the board, discussing all the steps she had taken prior to purchasing a property on Parkside Place to use as an Airbnb. She also discussed that she has been renting a room out of her house for over a year on Airbnb, and until recently her neighbors never even knew she was renting a room. She discussed that she had reached out to the Code Enforcement Officer and read the Village code before investing in the single-family home. After listening to Ms. Scanlon, the board agreed that as long as there is not a code violation, then they have no issue with the Airbnb. Some recommendations were made such as making sure that everyone is parked on one side of the street so there isn't an issue with safety, and possibly limiting the number of cars that can be allowed on property (driveway has room for 2). Mayor Skiptunas informed the board that Airbnb has a tax that goes directly to the County.

Reports

DPW – Ben Luft

Mr. Luft said that he completed the final walk through for the sidewalks and that they are approximately 98% complete. Nardozzi still have the final punch list but they are pretty much done with everything. The DPW crew will be hydro seeding hopefully Thursday and then they will be finished as well with everything except for the crosswalk signs. Mr. Luft explained that he has measured some of the signs that are currently around the Village and there are differences in sizes compared to what the DOT is requesting be placed. The board agreed that there should be a large crosswalk sign placed on the corner of Michigan Ave and 5&20 as this is a dangerous area. Trustee Smith also requested that there be reflectors placed on the post.

Mr. Luft stated the waterline project is running about a week and a half behind. The contractors are having an issue with the second big bore across from Seneca Ave. They should be finished with it this week along with the tie in by Ziegler. He discussed that there are 3 homeowners who will be without water for a few hours when the connection is completed. He has delivered letters to these residents and talked directly with the ones who were home. The goal is to have water in the new water pipe by the end of the following week so he can start to chlorinate and collect water samples. Once finished with this, the contractors will move on to the next section. Questions arose regarding the sidewalks that had to be removed for the project. Mr. Luft said that as soon as services are in and connections are made to the new pipe the sidewalks will be poured. He will double check with MRB Engineering regarding design of the sidewalks.

Mr. Luft said he completed a walkthrough of the ditch on Buell Ave. with Pat Nicoletta. He said they are looking at different areas to address the drainage issues. Water does flow through the pipes; however, it just flows slow and takes time. They will continue to work on some ideas.

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Clerk Report – Elissa Sackett

Clerk Sackett stated that she has been in contact with National Grid regarding the solar credit allocations. National Grid created a new account once the Village purchased the street lights, however no information was relayed to the Village and the prior street light allocations were not transferred over. Clerk Sackett will continue to work with National Grid on this matter.

Clerk Sackett stated that tax collection is almost over. Residents have until September 30th to pay their Village taxes. After this date any resident who wishes to pay must contact the County to do so. To date the Village has collected 96% of taxes owed; there are only 27 outstanding invoices.

Resolution

Motion was made by Trustee Wadach and seconded by Trustee Fleming to close out the 2021 tax collection and request Livingston County to collect all unpaid Village taxes. Motion passed unanimously. See attached resolution.

Clerk Sackett had several invoices available for review. Payments by fund are the following:

- Ambulance: \$7227.37
- General: \$15971.76
- Water: \$17166.59
- Sewer: \$4001.66
- Capital Water: \$5284.17
- Capital Sewer: \$0
- Grand Total: \$49651.55

Motion

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

Mayor Skiptunas presented an invoice from Lima Golden Agers. This is for their annual luncheon and the Village budgets \$750 each year for this function.

Motion

Motion was made by Trustee Smith and seconded by Trustee Petraitis to pay \$750 to the Lima Golden Agers for their annual luncheon. Motion passed unanimously.

Deputy Mayor Wadach questioned a bill from Frontier. Mr. Luft said that it may be an old circuit ID number from the pump house that should have been canceled a while ago. Clerk Sackett will reach out to Frontier to find the exact location of the said line.

Business

Home on McDonald Drive – Attorney Lenahan said that he has sent a letter to Mr. Bearce regarding his dilapidated home on McDonald Drive. Mr. Bearce contacted CEO Floeser and said that he is wishing to sell the home “as is”. Deputy Mayor Wadach said that the home still needs to have an inspection completed on it. Mr. Luft said that he had been to the property with Pat Nicoletta. Mr. Nicoletta said that one of the structural engineers could come out and do the inspection through the home. Mr. Nicoletta said that the home could be condemned, but it can be very costly to do so. Decision was made to have Attorney Lenahan send a second notice to Mr. Bearce regarding the property and to have MRB come out to determine if the structure should be condemned. An update will be made at the next meeting regarding progress on the property.

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Ambulance Contract – The contract for the upcoming year between the Town and the Village was passed around for all to review. Amounts were agreed upon by Mayor Skiptunas and Supervisor Falk, which resulted in an increase from \$10k to \$17k this year.

Zoning Code Review – Discussions were held regarding updating the sign code. Mayor Skiptunas will reach out to Grow LivCo about their sign code so it can be reviewed. Attorney Lenahan stated that it would be at least a 3 month turn around in order for the Village to enact a new sign code as once adopted it would need to go to the County board for review. Mayor Skiptunas asked what a business could do in the meantime to have a sign approved that was not compliant with the current code. Attorney Lenahan stated the business could apply for a variance with the Zoning Board of Appeals (ZBA). Review of the code will begin and a public hearing will be set regarding adoption of a new code.

Wiggins Boundary Line Agreement – Attorney Lenahan stated that Mr. Wiggins is selling his property next to the fire house on West Main St. The driveway for the property encroaches on the fire house property line. The Attorney is requesting a boundary line agreement signed by the Village. Attorney Lenahan explained that the agreement needs to be rewritten in a couple spots, but that in a nutshell the agreement will state that the current location of the driveway is ok, however if the driveway is to be replaced, it will need to be moved so it no longer encroaches on the fire house property.

Motion

Motion was made by Trustee Smith and seconded by Trustee Petraitis to authorize Attorney Lenahan to sign the boundary line agreement for the Village of Lima. Motion passed unanimously.

Northern Border Reginal Commission – Attorney Lenahan stated that he reached out to NYCOM and to Bond Council regarding the length of bonding for a project like this, but he has not heard back yet. He stated that he has researched other projects that are somewhat close, and all have bonded for 5 years. He did mention that if the fiber lines were considered an asset, it is possible that a bond could be taken out for 10 years, however there is nothing in the Finance law that gives an accurate timeline as to how long a project like this can definitely be bonded for. His advice would be to stay on the safe side and plan to bond for 5 years. He will continue to reach out to find a definitive answer as to the bond length. Deputy Mayor Wadach asked Mayor Skiptunas to discuss this with Senator Gallivan when he meets with him on October 12th. In the meantime, Attorney Lenahan stated that the documents were ok for Mayor Skiptunas to sign, in regards to moving forward with the NBRC grant.

Motion

Motion was made by Trustee Petraitis and seconded by Trustee Smith to authorize Mayor Skiptunas to sign all documents to proceed with the NBRC grant. Motion passed unanimously.

Ambulance Base – Deputy Mayor Wadach stated that he had met with a technician regarding possible Geothermal at the Ambulance. After looking at the equipment, the tech stated that he would not recommend geothermal. The existing HVAC equipment is very high end and there is no space/need for such product. Trustee Fleming said she had received an email from Chief Rose stating that she had a technician there to look at the heating/cooling and will be receiving quotes regarding programmable thermostats. She said that the technician said that a system (such as Nest) would not work with the type of a/c, heating that the Ambulance has. Deputy Mayor Wadach stated that the Village should come up with ideas on how to make the building a better public asset.

NYSERDA Funds – Deputy Mayor Wadach stated that the Village should look at coming up with their own proposal as to how to use the NYSERDA funds. He said that he was going to look at trying to get sidewalks approved for usage of the grant money.

NY Stretch Energy Code – Attorney Lenahan explained to the board that the Stretch Energy Code wasn't properly approved by NYS before being administered and current parts of the code are not

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accurate. In discussions with NYSERDA, it was stated that the Village could pass an amendment to the code, specifically sections that deal with ventilation, and then file this with the NYS Building Code. This will not affect the grant money the Village received for passing the NY Stretch Energy Code, but it will require a public hearing.

Motion

Motion was made by Trustee Fleming and seconded by Trustee Petraitis to authorize Attorney Lenahan to amend the NY Stretch Energy Code to meeting NY Building Code standards. Motion passed unanimously.

Community Solar Grant for Sustainability – Deputy Mayor Wadach explained that the Village will be receiving funds (approximately \$35k) for sustainability. He said that he had a meeting to verify if funds could be used towards street trees, and landscaping at the Village greenspace. Mr. Luft asked if the funds could also be used towards the purchase of the trees that need to be replaced due to the water main project. Deputy Mayor Wadach said this would be a good project for the Shade Tree Commission. The Board was in favor of assigning this project to the Shade Tree Commission.

Roundtable Discussion

Trustee Petraitis stated that he will be attending the Parks and Recreation meeting Monday at the HF-L school. Deputy Mayor Wadach reminded him that the amount the Village budgets for this is \$6,000 per year and that the contract with HFL School District must include this cap.

Trustee Smith stated that the Crossroads Festival Committee is requesting that the noise ordinance be changed from 10pm to 11pm for the duration of the festival. He also said that the fest is looking at possibly utilizing not only the parking lot, but the greenspace next to the Town Hall.

Trustee Fleming discussed the Ambulance. She stated that Chief Rose has asked about implementing more in-depth background checks on all perspective members. It was discussed that a criminal and DMV check would be sufficient.

Meeting adjourned at 9:00 pm.

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Deputy Mayor Wadach offered the following resolution and moved for its adoption:

RESOLUTION

WHEREAS, the Village of Lima hereby requests that the County of Livingston collect unpaid Village taxes pursuant to Local Law #2 of the year 1987, and

WHEREAS, the Village of Lima will take no action to recover said unpaid taxes pursuant to Section 1440 of the Real Property Tax Law of the State of New York and no sale on account of said unpaid taxes will be held pursuant to law,

NOW THEREFORE LET IT BE RESOLVED that the Village of Lima officially requests that the County of Livingston collect unpaid Village taxes for the tax levy of June 2021 as of October 1, 2021, pursuant to Section 1442 of the New York State Real Property Law.

And it is further resolved that a copy of this resolution, duly certified by the Clerk/Treasurer of the Village of Lima shall be transmitted to the Livingston County Treasurer and the Clerk of the Livingston County Board of Supervisors.

Trustee Fleming seconded the motion and it was carried by the following vote:

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