

## **Village of Lima Board Meeting**

November 23<sup>rd</sup>, 2021

**Present:** John Skiptunas, Mayor; John Wadach Deputy Mayor; Trustee Carolyn Fleming.

**Others Present:** Matthew Lenahan, Attorney; Elissa Sackett, Clerk; Ben Luft, DPW Supervisor.

**Absent:** Trustees Joshua Petraitis and Brian Smith.

The meeting of the Village of Lima was called to order by Mayor Skiptunas at 7:04pm Tuesday, November 23<sup>rd</sup>, 2021 and opened with the Pledge of Allegiance.

### ***Motion***

Motion was made by Deputy Mayor Wadach and seconded by Trustee Fleming to approve meeting minutes from November 9<sup>th</sup>, 2021. Motion passed unanimously.

### ***Motion***

Motion was made by Deputy Mayor Wadach and seconded by Trustee Fleming to Open the Public Hearing at 7:06pm for Local Law #5 of 2021: Repealing section R403.6.2. Balanced and HRV/ERV System of the NY Stretch Energy Code.

## **Reports**

### **DPW – Ben Luft**

Mr. Luft gave an update on the 15A Water Main project. The contractors have approximately 85% of the sidewalks in and they have completed a lot of the blacktop. They are hoping by the next meeting that everyone from Ziegler Dr. to College St. will be on the new main. Currently only 6 residents remaining in this stretch are still on the old main. The contractors are still hoping for a wrap up date by the end of December, but Mr. Luft believes the main itself will be completed by January and clean up/restoration will be in the Spring.

The DPW crew have been busy. Leaf pick-up should be finished by the end of this week and Christmas decorations are starting to be installed. There are a couple of decorations that are not getting power. Mr. Luft will contact National Grid to repair the courtesy plugs that are out. Once these are all set, the crew will install the crosswalk signage in the Village from the sidewalk project, and add green reflector striping on the crosswalk sign poles.

Drainage issues are being taken care of, hopefully this will help prevent flooding around the Village. A 12" overflow pipe was installed on Buell Ave. This is a temporary fix but should help in the interim. The sewer machine has been fixed and catch basins/drains have been checked on Genesee St. for potential clogs. The crew continues to investigate the routing of the storm water pipes in an around the former Save-Al-Lot parking lot. They will continue to scope the catch basins for clogs.

Mr. Luft asked if the village would still be holding the second meeting in December. In years past the meeting had been cancelled, but that has not happened in a few years. The board discussed and agreed to cancel the second meeting in December

### ***Motion***

Motion was made by Deputy Mayor Wadach, seconded by Trustee Fleming and approved by Mayor Skiptunas to cancel the regularly scheduled board meeting on December 28<sup>th</sup>, 2021. Motion passed unanimously.

### **Clerk Report – Elissa Sackett**

Clerk Sackett discussed an issue with communication between National Grid and Constellation regarding the Community Choice Aggregation (CCA) program. Constellation did not receive any names of individuals who called National Grid directly to opt out of the program, therefore when account numbers

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were submitted a second time, these residents were automatically enrolled in the program again. These individuals have since been removed from the CCA program.

Clerk Sackett also gave an update regarding the street light conversion. The Village is currently not under a maintenance contract as they are still considered to be in the construction phase. The maintenance contract will not take place until the final inspections have been done. The New York Power Authority (NYPA) is working on drafting the contract now so it is ready when construction is finalized. Regarding the pole on Hogan Ave., these light fixtures were not part of the construction, they are only part of the maintenance program. Since the posts were not part of construction, D&M (construction company) are not liable for maintenance during construction. D&M has agreed to investigate the issue next time they are in Lima or the surrounding area. Clerk Sackett discussed the situation with Mr. Luft stating it may be cheaper to have the Village contract with a local electrician to take a look at repairing the light.

It was addressed that Elections would be coming up in March and the Board needed to approve 2 resolutions regarding them. See end of minutes for Resolutions.

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

- Ambulance: \$1429.03
- General: \$7808.79
- Water: \$15686.79
- Sewer: \$91268.51
- Capital Water: \$48388.14
- Capital Sewer: \$13263.90
- Grand Total: \$177845.16

### *Motion*

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

### **Business**

**Tax Cap Override** – Attorney Lenahan stated that it was time to start thinking about the Local Law to override the tax cap. He reminded the board that this was just to have in place in the event the Village does indeed surpass the tax cap. If the Village does not go over the tax cap, the law can be repealed. Public Hearing will be scheduled for December 14<sup>th</sup>, 2021.

**Tupelo Trail** – Mayor Skiptunas discussed the issue with the Town of Lima water meter on Tupelo Trail. Mr. Luft said that the meter did have a backflow issue, but the meter has since been reprogrammed. He went on to explain that everything at Tupelo Trail is owned by the Town. Mayor Skiptunas and Attorney Lenahan stated that the Town has stated that it is all owned by the Village. Mr. Luft explained that when the project was put in place with Keith Arner, the former Town Highway Superintendent, discussions were held that everything regarding that project was going to be owned/maintained by the Town, including the tap on the Village line on Dalton Road. This will be researched further to find agreements regarding ownership, and it was recommended to discuss the history of this project with the Keith Arner.

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### ***Motion***

Motion was made by Deputy Mayor Wadach and seconded by Trustee Fleming to close the Public Hearing at 7:39 pm for Local Law #5 of 2021: Repealing section R403.6.2. Balanced and HRV/ERV System of the NY Stretch Energy Code. Motion passed unanimously.

### ***Motion***

Motion was made by Deputy Mayor Wadach and seconded by Trustee Fleming to pass Local Law #5 of 2021: Repealing section R403.6.2. Balanced and HRV/ERV System of the NY Stretch Energy Code.

Vote was the following:

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

### **Roundtable Discussion**

Mayor Skiptunas asked if anyone from the DPW crew would like to drive a truck in the parade this coming Saturday, November 27<sup>th</sup> for the Tree Lighting Ceremony. He also asked Mr. Luft if he would be able to assist him with placing the star on the top of the Christmas Tree as he is unable to reach it.

Deputy Mayor Wadach asked Attorney Lenahan if he had heard back from Genesee Finger Lakes Regional Planning Council (GFLRPC) regarding the NBRC Grant Agreement. Attorney Lenahan stated that he received notification that the amendments made were accepted, but he has not received a final draft to be signed. He will follow up with GFLRPC.

Meeting adjourned at 7:51pm.

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**Abolishing Registration Day  
for March 2022 General Village Elections**

**WHEREAS** the Village will hold regular elections in the year 2022 on March 15<sup>th</sup> for the positions of:

- Village Trustee: (1) Unexpired Term

**WHEREAS** voters may register with the County Board of Elections ten (10) days prior to the Village Election to ensure eligibility,

**IT IS HEREBY RESOLVED** that the Board of Trustees of the Village of Lima abolishes Registration Day for said election and all that follow until which time this resolution is appealed.

A motion was made by Deputy Mayor Wadach and seconded by Trustee Fleming to approve Resolution Abolishing the Village Registration Day for the March 15<sup>th</sup>, 2022 General Village Election. The motion passed unanimously.

**Designation of Date  
for March 2022 General Village Elections**

**WHEREAS** the Village will hold regular elections in the year 2022 on March 15<sup>th</sup> for the positions of:

- Village Trustee: (1) Unexpired Term

**WHEREAS** Election Law 15-120 (8) states “In any village in which the village election is scheduled to be held on the third Tuesday of March, for any year in which the seventeenth day of March shall fall on such Tuesday, the board of trustees shall provide, by the resolution, that such election shall be held on the eighteenth day of March.”

**IT IS HEREBY RESOLVED** that the date for the village election will be Tuesday, March 15<sup>th</sup>, 2022 for said elections.

A motion was made by Deputy Mayor Wadach and seconded by Trustee Fleming to approve Resolution Designation of Election Date for the March 15<sup>th</sup>, 2022 General Village Election. The motion was passed unanimously.