

Regular Meeting of the Town Board of the Town of LeRoy held on Thursday, August 27, 2020 at 7:00 PM in the Boardroom of the Town Hall, 48 Main Street LeRoy, New York.

Members Present: James Farnholz, Supervisor
John Armitage, Council
Stephen Barbeau, Council
John Johnson, Council
David Paddock, Council

Absent: Eric Stauffer, Highway Supt.

Recording Secretary: Patricia A. Canfield, Town Clerk
Others Present: Charles Hull, Ty Baccile

Supervisor Farnholz called the regular meeting to order at 7:00 PM followed by the pledge to the flag and approval of the regular meeting of August 13, 2020 on **MOTION** by Councilman Johnson and seconded by Supervisor Farnholz and passed. Councilman Barbeau – abstained.

CORRESPONDENCE:

22-2020: NYS Aid Certification – Town of LeRoy at 100% and received \$9,815.

23-2020: School Road Residents – Public Water Supply – Water Main along School Road – Funded privately by affected residents.

OLD BUSINESS:

1. Revenue Sharing – Genesee County –

The Town of LeRoy received \$165,332 for a total year to date of \$505,725 revenue from Genesee County. Disbursement will not be called sales tax agreement and will be named revenue sharing based on taxable real property with no payment guarantee. Genesee County predicts a 40% less in 2021 from 2020 with no contract and Town Board will determine whether to include any revenue in budget.

2. Water District No. 11 – Order Calling for Public Hearing -

On **MOTION** by Supervisor Farnholz and seconded by Councilman Johnson and passed unanimously with voting as follows: Council Armitage, Barbeau, Johnson, Paddock and Supervisor Farnholz – aye the following **RESOLUTION:**

ORDER CALLING FOR PUBLIC HEARING – WATER DISTRICT NO 11 - TOWN OF LEROY NY

WHEREAS, the improvements to be made consist of the construction of a water distribution system in the Town of LeRoy, and including all related right-of-way costs, site work and other ancillary work, including preliminary costs and other improvements and costs incidental thereto; and

WHEREAS, after all necessary proceedings were duly had and taken in accordance with the provisions of the Town Law, the Town Board of the Town of LeRoy, Genesee County, New York, has heretofore duly established Water District No. 11 (the “Water District”) at a maximum estimated cost of \$123,000; and

WHEREAS, it now appears that such maximum estimated cost for the establishment thereof must be increased by an additional \$12,000 to a new maximum estimated cost of \$135,000 pursuant to Section 209-h of the Town Law; and

WHEREAS, the estimated cost of hook-up fees to the typical property in the Water District remains \$1490 and the estimated cost of the Water District to the typical property therein, being a one or two family home, remains \$880 in the first year in which operation, maintenance, debt service and other charges and expenses are to be paid as such \$12,000 is to be paid from grant proceeds; and

WHEREAS, a detailed explanation of the manner by which said costs for the typical property were computed as well as all materials completed in compliance with the State Environmental Quality Review Act, have been filed in the office of the Town Clerk where the same are available for inspection during regular office hours; and

WHEREAS, the properties within the boundaries of said Water District described by applicable tax map designation are attached hereto as Exhibit A and hereby made a part hereof; and

WHEREAS, it is now desired to call a public hearing upon the question of the aforesaid increase in costs for the establishment of said Water District; **NOW, THEREFORE, BE IT**

ORDERED, by the Town Board of the Town of LeRoy, Genesee County, New York, as follows:

Section 1. A meeting of the Town Board of the Town of LeRoy, Genesee County, New York, shall be held at the Town Hall, 48 Main Street, LeRoy, New York, in said Town, on the 10th day of September, 2020, at 7:00 o'clock P.M., Prevailing Time, to consider the question of determining whether the increase in maximum estimated cost described in the preambles hereof is in the public interest, and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of said Town Board in relation thereto as may be required by law or as may be proper in the premises.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of this Order to be published once in the official newspaper of said Town, and a copy thereof to be posted on the signboard of said Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, both publication and posting to be made not less than ten (10) nor more than twenty (20) days before the date set herein for the hearing as aforesaid.

Section 3. This Order shall take effect immediately.

3. GCEDC – Intermunicipal Agreement – Amendment No. 1 – Resolution -

On **MOTION** by Supervisor Farnholz and seconded by Councilman Barbeau and passed unanimously with voting as follows: Council Armitage, Barbeau, Johnson, Paddock and Supervisor Farnholz – aye the following **RESOLUTION**:

WHEREAS, the GCEDC has acquired 73 acres of land to develop into a corporate business park within the Town; and

WHEREAS, The Town of LeRoy has pledged its support to the project in both cash and in-kind services of Town forces; and

WHEREAS, the GCEDC is working with the Town to market the Park to tenants who would require infrastructure, including roadway, water, sewer and electric; and

WHEREAS, the GCEDC and the Town entered into an Intermunicipal Agreement (IMA) for the Town to fund fifty Thousand and 00/100 Dollars (\$50,000.00) in funds per year for four years, starting in 2018, to be granted to the GCEDC for the purpose of paying a portion of the costs of the planning, design and construction of the Improvements; and

WHEREAS, the parties now wish to state their amended mutual responsibilities and obligations regarding the original agreement.

NOW THEREFORE, the parties agree to replace the following paragraph of the original IMA:

3. Cost Allocations: The Town has previously passed a resolution for the purpose of the GCEDC to facilitate the planning, design and construction of the Improvements. The Town has budgeted up to Fifty Thousand and 00/100 Dollars (\$50,000) in funds per year for four years, in 2018, 2019, 2021, and 2022 to be granted to the GCEDC for the purpose of paying a portion of the costs of the planning, design and construction of the Improvements.

All other terms and conditions of the original agreement remain as set forth previously.

NEW BUSINESS:

1. Declar/Proclamation - Bruce Berger, Supreme Governor Loyal Order of Moose International -

On **MOTION** by Councilman Johnson and seconded by Councilman Paddock and passed unanimously with voting as follows: Council Armitage, Barbeau, Johnson, Paddock and Supervisor Farnholz – aye the following **RESOLUTION**:

WHEREAS, Bruce J. Berger joined the Loyal Order of the Moose in 1982 as member of Quakertown, PA Lodge 1622 serving as both Governor and transferring to Lodge 1539 as an Honorary Past Governor; and

WHEREAS, he held membership in Mooseheart IL Lodge 2655; Chicora PA Lodge 962; and Port Alleghany PA Lodge 460; Mecca Moose Legion 9; Western PA Moose Legion 1; and North Jersey Moose Legion 2; and

WHEREAS, he received the Fellowship Degree of Honor in 1988 and the Pilgrim Degree of Merit in 1998; and

WHEREAS, he served on the International Moose Legion Council beginning in 2004 and has held prior service to include: Supreme Jr. Governor as Supreme Prelate; Service on the Supreme Council; Jr. Past International President and International President; District Secretary; and International Community Service Committee; and

WHEREAS, he exemplifies the true spirit of Americanism and carries out these principles beyond what is expected of him by caring for community and commitment to service,

NOW, THEREFORE LET IT BE RESOLVED that the Town Board of the Town of LeRoy heartily Congratulates Bruce J. Berger for his election to the position of: Supreme Governor of Loyal Order of Moose International, Inc.

2. **“Myrtle Burrell Day” – September 10, 2020 – Proclamation -**
 Village of LeRoy in conjunction with LeRoy Central School has declared September 10, 2020 as “Myrtle Burrell Day” in honor of her service to the LeRoy Community as Crossing Guard.
 On **MOTION** by Supervisor Farnholz and seconded by Councilman Johnson and passed unanimously with voting as follows: Council Armitage, Barbeau, Johnson, Paddock and Supervisor Farnholz – aye the following **RESOLUTION:**
WHEREAS, Myrtle Burrell served as the Street Crossing Guard in LeRoy NY since 1984; and
WHEREAS, she went above and beyond what was expected of her to ensure the safety and well-being of the children and community she cared for; and
WHEREAS, she was recognized and received accolades throughout her career for her dedication in the position she served; and
WHEREAS, she exemplified the true spirit of Americanism and carried out these principles beyond what was expected of her by caring for her community with her commitment to service,
NOW, THEREFORE LET IT BE RESOLVED that the Town Board of the Town of LeRoy declares September 10, 2020 as “Myrtle Burrell Day”.
3. **2021 Assessment -**
 Anticipating a 20% increase in assessments due to increase in real estate sales above asking price and assessed value. Supervisor Farnholz will meet with Assessor, Rhonda Saulsbury in November to discuss future re-assessment with hopes of the market stabilizing and better fiscal understanding moving forward.

COMMITTEE REPORTS:

Highway:

Supervisor Farnholz reported:

- Plow Truck Purchase – Option of financing next truck to cover lack of revenue.

Code:

Planning Board moving forward to complete language for solar commercial code with discussion of decommissioning a system with concern of maintaining bond.

Fire:

Councilman Johnson reported the Fire Commission is requesting more lead time when permits require Fire Dept. signature.

GAM/Supervisor:

Supervisor Farnholz reported weekly Saturday morning calls from Genesee County Emergency Management cancelled for next two Saturdays.

EXECUTIVE SESSION:

On **MOTION** by Supervisor Farnholz and seconded by Councilman Barbeau and passed unanimously to enter into Executive Session at 7:51 PM for legal issue and personnel with Town Board and Town Clerk present.

On **MOTION** by Supervisor Farnholz and seconded by Councilman Barbeau and passed unanimously to come out of executive session at 8:12 PM with no action taken.

AUTHORIZATION TO PAY BILLS:

On **MOTION** by Councilman Johnson and seconded by Councilman Armitage and passed unanimously the following bills were presented for payment:

Abstract # 16	2019/2020	Voucher #
General Fund A, B, SL & Cap Proj H:	\$17,965.15	282~291
Highway Fund DA & DB:	\$122,369.76	120~127
Water Fund HG:		

With no further business to come before the Board, on **MOTION** by Councilman Barbeau and seconded by Councilman Johnson and passed unanimously to adjourn at 8:16 PM.

Respectfully Submitted, Patricia A. Canfield Town Clerk