

Regular Meeting of the Town Board of the Town of LeRoy held on Thursday, September 10, 2020 at 7:00 PM in the Courtroom 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
Eric Stauffer, Highway Supt.

Recording Secretary: Patricia A. Canfield, Town Clerk
Others Present: Shelley Stein, Matt Lander, Jim Barsaloux, Tracy Barsaloux, Tom Frew, Eileen Dries, Ron Pangrazio, Laura Landers

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 27, 2020 on **MOTION** by Councilman Barbeau and seconded by Councilman Paddock and passed unanimously.

PUBLIC HEARING:

Water District No. 11 Establishment –

Supervisor Farnholz read the notice of public hearing language to include determination of expending an additional cost of \$12,000 for a maximum estimated cost of \$135,000 pursuant to Section 209-h of the Town Law. A one-time hook up fee of \$1,490 and estimated cost of water being for average family home remains at \$880 annually. Additional cost of \$12,000 for district to be covered by grant proceeds. Public hearing was declared open for any questions or comments.

Hearing no comments or questions brought forward on **MOTION** by Supervisor Farnholz and seconded by Councilman Barbeau and passed unanimously to close the public hearing with no action taken.

GUESTS:

1. Jim and Tracy Barsaloux – Tracy B’s Farm Market – 8041 East Main Road –

Jim presented Town Board with business plan outline for expansion of current farm market to include sales of craft beer, food and entertainment. Jim has contacted and made application with the NYS Liquor Authority. Town Board reviewed current zoning with local code office and expansion of property is not permitted in zone. Genesee County Planning has been contacted to review zoning area and allowable uses. Councilman Barbeau relayed “spot zoning” is not allowed for benefit of an individual and entertainment may not be permissible in a residential agriculture zone [R&A]. Supervisor Farnholz will forward to legal council for interpretation on spot zone with determination date of October 8, 2020.

2. Shelley Stein, Genesee Co Legislature & Matt Lander Genesee County Manager –

Spoke on shared revenue distributed to Towns and Villages and have contacted comptroller to determine how to treat revenue and where funding will be coded. Genesee County looking to disburse eight million in total for 2021 to then be allocated to local municipalities based on real property assessments. Town Board will need to obtain a budgeted figure prior to November 20th budget deadline. Town Board has relayed dissatisfaction with county process of eliminating sales tax disbursement and moving to shared revenue with lack of revenue figures brought forward to municipality or through GAM for local budgeting purposes.

OLD BUSINESS:

1. Plow Truck – Financing Options –

Town Board reviewing a four-year plan at \$60,000 annually to finance truck at 100% based on interest rates.

On **MOTION** by Councilman Johnson and seconded by Councilman Barbeau the following **RESOLUTION:**

RESOLVED, The Town Board of the Town of LeRoy authorizes to finance a new plow truck for four years beginning in 202.

with no roll call on motion – motion fails.

Table Plow Truck Financing Options -

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

RESOLVED, the Town Board of the Town of LeRoy will table plow truck financing options until the meeting of September 24, 2020.

NEW BUSINESS:

1. 2021 Tentative Budget -

Supervisor Farnholz presented the tentative budget to Board members and filed with Town Clerk on September 10, 2020. The tentative tax rate for 2020 at \$1.10/1,000 based on tentatively receiving county revenue of \$650,000; budgeting of \$500,000 revenue rate at \$1.80/1,000; and with no county revenue rate at \$3.20/1,000.

2. Special Use Permit Applications –

**PCORE Electric, Inc., Gilbert Street [land located Town of LeRoy]
Caroline Eastern Crocker, Selden Road**

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

RESOLVED, the Town Board of the Town of LeRoy authorizes to advertise for public hearing for PCORE Electric Inc., 135 Gilbert Street, LeRoy NY for Special Use Permit to construct a 2790 sq. ft. addition with 6,700 sq. ft. pad included in R-1 zone special use is required as application is non-conforming industrial use; and Carolina Eastern Crocker, LLC, 7591 Selden Rd, LeRoy NY for Special Use Permit to construct a pole barn 60’x80’x16’ for truck storage per chapter 165-13 is a non-conforming use in R&A zone. Said hearings will be held on September 24, 2020 at 7:00 PM at the Town Hall, 48 Main Street, LeRoy NY.

3. LeRoy Food Pantry – Annual Contract Renewal –

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

RESOLVED, the Town Board of the Town of LeRoy hereby authorizes the Supervisor to sign the annual contract with the LeRoy Food Pantry and Help Fund for lease renewal from October 1, 2020 through December 31, 2021 with annual rent of \$1.00.

4. Flood Plain Permit Fee –

Town Code does not include a fee for flood plain

On **MOTION** by Councilman Paddock and seconded by Councilman Armitage the following **RESOLUTION:**

RESOLVED, The Town Board of the Town of LeRoy will not include any fee in code under Flood Plain Permit Fee Schedule.

with no roll call on motion – motion fails.

Table Plow Truck Financing Options -

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

RESOLVED, the Town Board of the Town of LeRoy will table Flood Plain Permit Fee agenda item until further information is received for determination.

COMMITTEE REPORTS:

Highway:

Highway Supt. Stauffer reported:

- Harris Road surfacing is completed with NOVA chip.
- Asbury, Linwood, York and Keeney Roads – Oiled and stoned.
- Working on Intersections.
- Utilizing skid steer attachment and trailer for black top.
- Obtaining Plow truck information to determine equipment purchase.

Town Clerk:

Total fees collected for month of August 2020 at \$13,911.60 with \$11,805.13 remitted to the Supervisor.

IT:

Supervisor Farnholz reported television will be wired in for boardroom.

Fire:

Councilman Johnson reported discussion on concerns of the former Wickes property on West Main Road and former gas station on Lake Street and what the status is with properties. Commission is working on 2021 budget.

Ambulance:

Councilman Johnson reported calls are down 7.7% with \$152,000 in collections for billing.

EXECUTIVE SESSION:

On **MOTION** by Supervisor Farnholz and seconded by Councilman Barbeau and passed unanimously to enter into Executive Session at 9:02 PM for personnel with Town Board and Town Clerk present.

On **MOTION** by Supervisor Farnholz and seconded by Councilman Armitage and passed unanimously to come out of executive session at 9:38 PM with no action taken.

AUTHORIZATION TO PAY BILLS:

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

Abstract # 17	2019/2020	Voucher #
General Fund A, B, SL & Cap Proj H:	\$14,773.61	292~311
Highway Fund DA & DB:	\$15,589.27	128~137
Water Fund HG:		

With no further business to come before the Board, on **MOTION** by Councilman Barbeau and seconded by Supervisor Farnholz and passed unanimously to adjourn at 9:40 PM.

Respectfully Submitted, Patricia A. Canfield Town Clerk

