

Regular Meeting of the Town Board of the Town of LeRoy held on Thursday, August 26, 2021 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
John Johnson, Council
David Paddock, Council
Eric Stauffer, Highway Supt.

Absent: Ron Pangrazio, Council

Recording Secretary: Patricia A. Canfield, Town Clerk

Others Present: Robert Fussell, Jr., Robert Cassatt, PCORE Electric

Supervisor Farnholz called the regular meeting to order at 7:00 PM followed by the pledge to the flag and approval of the minutes of the meeting of August 12, 2021 on **MOTION** by Councilman Paddock and seconded by Supervisor Farnholz and passed unanimously.
Councilman Johnson – abstained.

PUBLIC HEARING:

P-Core Electric – Special Use Permit Application –

Supervisor Farnholz read the following notice of public hearing:

Please take notice that the Town Board of the Town of LeRoy will hold a Public Hearing to consider the request of PCORE Electric Inc., 135 Gilbert Street, LeRoy NY for a Special Use Permit to construct a 227 sq. ft. (10' x 22'.10) addition to an existing non-conforming industrial use in Residential [R-1] District. Per Chapter 165-13 a non-conforming use can only be enlarged by a special use permit. Said hearing will be held on August 26, 2021, at 7:00 PM at the Town Hall, 48 Main Street, LeRoy NY. Inquiries regarding the hearing may be directed to the Zoning Office at 768-6910 ext. 223 or 225 or by attending the hearing. The hearing was open for public comments.

Hearing no comments, on **MOTION** by Supervisor Farnholz and seconded by Councilman Paddock and passed unanimously to close the public hearing.

Authorization for Special Use Permit – PCORE Electric, Inc. –

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

RESOLUTION:

RESOLVED, the Town Board of the Town of LeRoy approves the Special Use Permit application submitted by PCORE Electric Inc., 135 Gilbert Street, LeRoy NY to construct a 227 sq ft addition at said location.

CORRESPONDENCE:

Rte 5 Solar – Richard Prinzi – West Main Road – Letter regarding tax exempt status with 60-day response. Information has been forwarded to attorney for interpretation.

OLD BUSINESS:

1. Assessment Contract with Town of Batavia – Dissolve Cap – Batavia & Pavilion -

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

RESOLVED, the Town Board of the Town of LeRoy authorizes to dissolve the contract agreement with the Town of Batavia to provide assessment service for the Town of LeRoy effective at the contract term of October 17, 2021.

2. Spray Park Proposal – Wildwood Park –

Proposed spray park to be located at the site of the kiddie with cost sharing between the Village and Town of LeRoy and funding allocated through the American Rescue Plan.

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

RESOLVED, the Town Board of the Town of LeRoy authorizes to split the cost of construction of a spray park to be located at Wildwood Park with the Village of LeRoy at a projected total cost of \$300,000 with each municipality's cost at \$150,000 with construction to begin in 2022.

NEW BUSINESS:

1. Water Surcharge – Town of Darien – Equalization Rate –

Western Towns receiving water from Lake Erie at a higher cost and requested all towns in Genesee County to share in the water surcharge with an equalization rate which would increase costs for Easter portion of Genesee County. Town of Darien have entered into a seven-year contract agreement with Genesee County accepting the water surcharge for all users in Genesee County.

COMMITTEE REPORTS:

Highway:

- Stone and Oil – Linwood and Vallance Road.
- Easement, Quinlan Road – Michael & Carolyn McCulley – Easement in place to access land for drainage/ditch issues. Town Board to have attorney and Genesee Co. Highway Supt. review contract to determine continued need.
- New computer received.

Code:

Supervisor Farnholz reported he and Councilman Paddock will meet with Code Officers Steinbrenner and Podolak on Sept. 1st at 4:00 PM to discuss plan review for new construction. Village of LeRoy opposed to charging \$600 for residential plan review. NYS requires plan review and some architects who submit stamped plans are not code certified. Code Officers are certified for plan review but are reluctant due to amount of time to examine plans and could adopt a checklist system for review.

IT/Computer:

Supervisor Farnholz reported staff is working to determine what can be done to correct ongoing issues. Town Court receives regular state updates and incurs issues after updates.

Transfer Station:

Councilman Johnson and Highway Supt. Stauffer will meet at Transfer Station to determine what can be done to ease traffic at entrance.

Fire:

Councilman Johnson reported the Fire Dept. is very interested in the proposed town wide water plan. Also, still meeting on proposed consolidated emergency services with Genesee County.

Utilities:

Supervisor Farnholz reported he met with grant writer, Jay Grasso for town wide water project to submit application by end of September 2021. Engineer, Eric Wies has drawings completed with application to be submitted before year end 2021. There is a program to assist with residents on fixed incomes to assist with water hook up costs.

GAM/Supervisor:

Supervisor Farnholz reported he has received confirmation that American Relief Funding could be used to replace flooring at the Highway Garage.

EXECUTIVE SESSION:

On **MOTION** by Supervisor Farnholz and seconded by Councilman Johnson and passed unanimously to enter into Executive Session at 7:46 PM for personnel with Town Board, Highway Supt. and Town Clerk present.

On **MOTION** by Supervisor Farnholz and seconded by Councilman Paddock and passed unanimously to come out of executive session at 8:40 PM with the following action taken:

Highway MEO Position Vacancy – Brad Shepard – Appointment -

On **MOTION** by Supervisor Farnholz and seconded by Councilman Paddock and passed with voting as follows: Council Paddock, Johnson and Supervisor Farnholz – aye; Council Armitage – nay [based on starting rate of pay] the following **RESOLUTION:**

RESOLVED, the Town Board of the Town of LeRoy approves the recommendation of Highway Supt. appoints Brad Shepard to the vacant position of Maintenance Equipment Operation [MEO] effective September 13, 2021, for the Town of LeRoy Highway Dept. at the starting rate of 85% effective September 13, 2021; effective January 1, 2022 pay rate would go to 95%; and effective January 1, 2023 pay rate to 100% of Teamsters Union Contracted wages based on prior experience.

AUTHORIZATION TO PAY BILLS:

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

Abstract # 16	2020/2021	Voucher #
General Fund A, B, SL & Cap Proj H:	\$18,031.56	382~401
Highway Fund DA & DB:	\$162,966.79	127~136
Water Fund SW / HG:		

With no further business to come before the Board, on **MOTION** by Supervisor Farnholz and seconded by Councilman Armitage and passed unanimously to adjourn at 8:45 PM.

Respectfully Submitted, Patricia A. Canfield Town Clerk