

REGULAR METING OF THE VILLAGE BOARD OF TRUSTEES
MARCH 20, 2019

A REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES WAS HELD ON MARCH 20, 2019, BOARD ROOM, VILLAGE HALL.

PRESENT: Mayor Gregory Rogers; Trustees William Kettle, Ray Yacuzzo; Clerk-Treasurer Sharon Jeary; Chief of Police Chris Hayward; DPW Supervisor Robert Lathan; Superintendent Wastewater Steve Carroll; 1 citizen.

EXCUSED: Trustees Bonacquisti and Tetrault.

Mayor Rogers called the meeting to order at 7:00 pm and asked everyone stand and recite the Pledge of Allegiance.

APPROVAL OF MINUTES – A motion was offered by Trustee Yacuzzo to approve the minutes of the Board of Trustees dated February 20, 2019 as previously printed and presented. Seconded by Trustee Kettle and on a call of votes Trustee Kettle – Aye, Trustee Yacuzzo – Aye, Mayor Rogers – Aye, carried.

COMMUNICATIONS:

NY CONFERENCE OF MAYORS – An update was received from New York Conference of Mayors that highlights the position of the State Senate and Assembly budget and how it compares to the Governor's budget.

NYCOM'S ANNUAL MEETING – Information was received from New York State Conference of Mayors announcing their 110th Annual Meeting that will be held at the Otesaga Hotel May 5 to May 7. Trustee Yacuzzo will attend.

REGIONAL LOCAL GOVERNMENT WORKSHOP – The Genesee/Finger Lakes Regional Planning council will hold their Spring workshop on Friday, May 17th at the Burgundy Basin Inn in Pittsford. Interested Trustees contact the Clerk-Treasurer to complete reservations.

DEPARTMENT CONSIDERATIONS:

Chief Hayward:

- The new car has been ordered.
- Met with representatives from St. Peter's regarding their request to add handicap parking. He will work with the state to determine if and how many may be designated on Lake Street (Route 19)
- A student intern has been terminated because the student repeated confidential information.
- The Chief would like to request a traffic study from NYS Department of Transportation for the intersection of Clay and Wolcott Streets.

RESOLUTION TO REQUEST TRAFFIC STUDY, CLAY AND WOLCOTT STREETS

MOTION BY Trustee Yacuzzo

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WHEREAS the Village of LeRoy is charged with the health, safety and wellbeing of its residents, and

WHEREAS there have been numerous motor vehicle accidents on State Route 19 in the area of 79 Clay Street (Route 19) which is located at the intersection of State Route 19 and Wolcott Street resulting in death, serious physical injury and significant property damage to private residences, and

WHEREAS the New York State Department of Transportation is responsible for conducting traffic surveys on public highways in the State of New York, NOW THEREFORE

BE IT RESOLVED that the Village of LeRoy requests the New York State Department of Transportation conduct a traffic survey on Route 19 in the area of 79 Clay Street which is located at the intersection of State Route 19 and Wolcott Street with a specific emphasis on enhancing visibility and improving highway safety in the area with consideration of installing traffic control devices which will alert motorists to the hazards at this intersection.

SECONDED BY Trustee Kettle and on a call of votes Trustee Kettle – Aye, Trustee Yacuzzo – Aye, Mayor Rogers – Aye, carried.

Superintendent Wastewater Carroll – still awaiting engineers’ information for the start of the new construction at the plant.

OLD BUSINESS:

GENESEE COUNTY’S REQUEST FOR SPECIAL NYS LEGISLATION TO SUPPORT A FORTY (40) YEAR SALES TAX AGREEMENT AUTHORIZATION - A request was received from GAM (Genesee Association of Municipalities) that the County would like support for special legislation to enact a forty (40) year sales tax agreement. The current agreement will expire and the County can only commit the current agreement until 2020. Board members offered their concerns to the request. A forty-year agreement seems to be for too long a period of time, the agreement should be renewed year after year. Trustee Yacuzzo offered a resolution the Village does not support a forty-year sales tax agreement. Seconded by Trustee Kettle on a call of votes Trustee Kettle – Aye, Trustee Yacuzzo – Aye, Mayor Rogers – Aye, carried.

RESOLUTION OPPOSING THE PROPOSED AND AMENDED 2020 EXECUTIVE STATE BUDGET IMPACTING AID AND INCENTIVES TO MUNICIPALITIES AND STATE COST SHIFTS TO COUNTIES

MOTION BY Trustee Kettle

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WHEREAS on February 15, 2019, Governor Cuomo announced a 30-day Amendment to the 2019-2020 Executive Budget making impacted towns and villages whole from his changes to AIM Funding by utilizing revenue from county sales tax, and

WHEREAS instead of restoring AIM with State funding and signifying a desire by the State to act as partners with local governments this budget amendment requires counties to make up for lost AIM funding with sales tax revenue, imposing a new mandate on counties, and

WHEREAS counties were granted the authority to levy a local sales tax in the late 1960's to help pay for Medicaid, indigent legal defense services, probation, and other state mandates on counties, and

WHEREAS requiring counties to make up for the State's cut in AIM funding to villages and towns sets an unsustainable precedent and unnecessarily shifts the State's burden to local taxpayers who already pay some of the highest property taxes in the nation, and

WHEREAS currently nine state mandated programs placed on counties like Genesee equals more than 82 percent of the typical county property tax levy, and these mandates costs continue to grow, and

WHEREAS cutting AIM funding in the first place for Genesee County Towns and Villages would be a loss of \$287,165 and is a tax-shift from broad based State income taxes to regressive local property taxes, and

WHEREAS replacing what has been State AIM assistance with funding from county revenues is simply a tax-shift that will ultimately result in higher property taxes and is another erosion of Home Rule Authority by New York State, NOW THEREFORE

BE IT RESOLVED that the Village of LeRoy supports the full restoration of this aid program to local governments and urges the Governor and State Legislature to fully restore this state funding in the final 2019-2020 state budget.

SECONDED BY Trustee Yacuzzo and on a call of votes Trustee Kettle – Aye, Trustee Yacuzzo – Aye, Mayor Rogers – Aye, carried.

RESOLUTION TO SUPPORT THE SECOND AMENDMENT – A request is before the Board to enact a resolution in support of the Second Amendment. There was no offer of a resolution.

NEW BUSINESS:

RESOLUTION TO APPROVE FESTIVAL PERMITS – Festival permit applications were received from Little League, 5K Walk/Run for Brain Tumor Awareness, and Tri-the-Oatka event. A motion was offered by Trustee Yacuzzo to approve Festival Permits for the following: LeRoy Little League to hold the annual Parade on April 27,

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2019 at 9 am. Parade route from the American Legion east on Route 19 to the Little League Field; 5K Walk/Run for Brain Tumor Awareness to be held on May 4th 9am to 3pm, along the approved route by the Chief of Police; and Tri-the-Oatka event that will be held on Saturday, July 13th, 5 am to 10:30 am, this event is contingent upon appropriate insurance submittal. Fees for all events waived. Seconded by Trustee Kettle and on a call of votes Trustee Kettle – Aye, Trustee Yacuzzo – Aye, Mayor Rogers – Aye, carried.

RESOLUTION TO AUTHORIZE A PUBLIC HEARING 2019-2020 – A motion was offered by Trustee Yacuzzo to hold a public hearing on Monday, April 1 at 7 pm regarding the 2019-2020. Seconded by Trustee Kettle and on a call of votes Trustee Kettle – Aye, Trustee Yacuzzo – Aye, Mayor Rogers – Aye, carried.

REQUEST TO CONSIDER RESOLUTION OR LETTER REGARDING PREVAILING WAGE PREMIIUM ON PRIVATE SECTOR PROJECTS – The Board would like to revisit this subject at the next Board meeting.

REQUEST FOR STUDENTS TO JOB SHADOW WITH THE POLICE

DEPARTMENT – Chief Hayward submitted a list that requests students from BOCES to participate in job shadowing with the Police Department. A motion was offered by Trustee Kettle to approve the following student from BOCES for job shadowing with the Police Department, insurance to be provided by BOCES: Katie Fisher, Warsaw; Matt Gilbert, Oakfield-Alabama; Brice Hatch, Caledonia-Mumford; Keith Muckle, Pavilion. Seconded by Trustee Yacuzzo and on a call of votes Trustee Kettle – Aye, Trustee Yacuzzo – Aye, Mayor Rogers – Aye, carried.

RESOLUTION TO APPROVE SEWER EXCLUSION, 17 PLEASANT STREET, SOUTH APARTMENT

MOTION BY Trustee Yacuzzo

WHEREAS the property owned by Robert Hawn at 17 Pleasant Street, south apartment, account number 15611 requests a sewer exclusion of metered water from their sewer bill due to extenuating circumstances, and

WHEREAS said water did not enter the sewer system for treatment, and

WHEREAS the request was reviewed by the Sewer Board and was agreed and recommended the above-mentioned property should be granted a sewer exclusion, averaging the previous years' use before the leak occurred, and

WHEREAS the total of bills from August 1, 2017 to May 1, 2018 totaled \$784.00 and the usage for the years was 90,000/gallons, minimum usage is 3,000/galls per quarter \$40.00; Excess charge is \$8.00/per thousand gallons, for an average bill of \$172.00, NOW
THEREFORE

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BE IT RESOLVED that the Board of Trustees hereby authorizes the Clerk-Treasurer to adjust the sewer bill for 17 Pleasant Street, south apartment, account number 15611 in the amount of \$1,752.00 plus penalties in the amount of \$175.20 for a total adjustment of \$1927.20.

SECONDED BY Trustee Kettle and on a call of votes Trustee Kettle – Aye, Trustee Yacuzzo – Aye, Mayor Rogers – Aye, carried.

CITIZEN PARTICIPATION:

Nancy Crocker – asked who is the current Code Enforcement Officer? Mayor Rogers stated: Jeff Steinbrenner is assigned Vacant Buildings, Anne Podolak general code enforcement and Mike Risewick is in training.

OFFICIAL CONSIDERATIONS:

Trustee Kettle: reported on information from the Town Board meeting.

- Town Supervisor Barbeau wanted to express his appreciation to the DPW for their work.
- Ambulance – discussion on the \$.48/per thousand assessed value for a district. They would like to have a non-binding vote to see if there is community support on what the majority would like for ambulance service. The current ambulance service or to go to another provider. Issue seems to be a backup plan, if the ambulance is out on a call does another ambulance fill in. Brief discussion was held on the ambulance service. We need to find out what the back up plan is, get together with Mercy and CHS to determine what they would provide.

EXECUTIVE SESSION: A motion was offered by Trustee Yacuzzo to enter Executive Session for the purpose of discussing a personnel matter. Seconded by Trustee Kettle and on a call of votes Trustee Kettle – Aye, Trustee Yacuzzo – Aye, Mayor Rogers – Aye, carried. Mayor Rogers requested Clerk-Treasurer Jeary, Superintendent Wastewater Carroll, and Chief of Police Hayward remain for the session. Session entered at 7:55 pm.

REGULAR SESSION: A motion was offered by Trustee Kettle to enter Regular session, seconded by Trustee Yacuzzo and on a call of votes Trustee Kettle – Aye, Trustee Yacuzzo – Aye, Mayor Rogers – Aye, carried. Session entered at 8:20 pm. Mayor Rogers announced no action was taken during Executive Session.

FOR THE RECORD: Trustee Yacuzzo stated for the record that Superintendent of the Wastewater Treatment Facility brought to the Board's attention a problem he is having with an employee, the Superintendent asked the employee to produce records, appropriate action will be taken after the receipt or non-receipt for those items.

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AUTHORIZATION TO PAY BILLS – A motion was offered by Trustee Yacuzzo to pay bills as presented including March 12, 2019, seconded by Trustee Kettle and on a call of votes Trustee Kettle – Aye, Trustee Yacuzzo – Aye, Mayor Rogers - Aye, carried. Payment is as follows:

General Fund – check number 22023-22069: \$187,058.29

ADJOURN – There being no further business a motion was offered by Trustee Yacuzzo to adjourn, seconded by Trustee Kettle and on a call of votes Trustee Kettle – Aye, Trustee Yacuzzo – Aye, Mayor Rogers – Aye, carried. Meeting adjourned at 8:30 pm.

Respectfully submitted,

Sharon M. Jeary,
Clerk-Treasurer

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