

## Official Minutes

A regular meeting of the Town Board of the Town of Lima, County of Livingston and the State of New York was held at the Town Hall, 7329 East Main Street, Lima, New York, on the 6th day of July 2017 at 6:30 P.M. Notice was printed in the Mendon-Honeoye Falls-Lima Sentinel.

**PRESENT:** Supervisor, Pete Yendell  
Deputy Supervisor, Cathy Gardner  
Councilperson, Bruce Mayer  
Councilperson, Bill Carey  
Councilperson, Dan Marcellus - Excused  
Town Clerk, Jennifer Shanks, CMC/RMC  
Town Attorney, Steve Kruk  
Highway Superintendent, Keith Arner

Supervisor Yendell called the meeting to order at 6:30 P.M., with the Pledge to the Flag.

**Guest(s):** Colleen Allen, Tom Simpson (entered at 6:50 P.M.), Anna Leslie (Reporter for Genesee Sun)

### **Reports-Motion to Accept Supervisor's Report –Review Ambulance & Building Inspector Reports (if received)**

Supervisor Yendell read the Supervisor's Report and mentioned receipt of the Building Inspector Report and Ambulance report before the meeting. On a motion by Councilperson Gardner to accept the Supervisor's reports, seconded by Councilperson Carey the vote went as follows:

**CARRIED:** Ayes: 4 Yendell, Gardner, Mayer, Carey  
Nays: 0

### **Audit of Claims**

Resolved that the bills contained on Abstract #7 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Funds: No. 177 through 215 \$ 13,858.16

Water Funds 1, 2, &3: No. 15 through 18 \$ 2,739.01  
Highway Funds: No. 109 through 125 \$ 7,329.26

On a motion by Councilperson Gardner, seconded by Councilperson Mayer the vote went as follows:

CARRIED Ayes: 4 Yendell, Gardner, Mayer, Carey  
Nays: 0

### **June 1<sup>st</sup> Minutes**

The minutes of the June 1<sup>st</sup> Meeting were approved on a motion by Councilperson Mayer, seconded by Councilperson Gardner, the vote went as follows:

CARRIED Ayes: 4 Yendell, Gardner, Mayer, Carey  
Nays: 0

### **Resolution #5 of 2017**

Supervisor Yendell asked for Board approval of Resolution #5 of 2017, supporting a NYS consolidated funding application for the Livingston County comprehensive water supply study update. Upon motion by Councilperson Mayer to accept and support same, seconded by Councilperson Gardner, the vote went as follows:

CARRIED Aye: 4 Yendell, Gardner, Mayer, Carey  
Nays: 0

### **RESOLUTION # 5 of 2017 SUPPORTING A NYS CONSOLIDATED FUNDING APPLICATION FOR THE LIVINGSTON COUNTY COMPREHENSIVE WATER SUPPLY STUDY UPDATE**

WHEREAS, New York State Governor Andrew M. Cuomo, has created ten Regional Economic Development Councils; and

WHEREAS, as part of the Regional Economic Development strategy, a unified funding process, the Consolidated Funding Application (CFA) has been developed and made available to distribute grant funds for job creation, infrastructure improvements and regionally significant economic development projects; and

WHEREAS, the Department of State of the State of New York has made funding available for the 2017 Local Government Efficiency (LGE) Program to assist applicants in developing and implementing plans to improve local government efficiency and cost savings, and

WHEREAS, the delivery of safe, dependable, good quality water is vital to the economy of Livingston County and will support agricultural producers and agricultural-related and supporting industries throughout the Finger Lakes Region and New York State; and

WHEREAS, the intent of the Livingston County Comprehensive Water Supply Study Update Project is to identify opportunities to collaborate and work together on needed water infrastructure improvements that help maximize system and operational efficiencies, minimize costs and best serve the residents of Livingston County; and

WHEREAS, after much discussion, the Town of Lima has determined it is advantageous to join together with Livingston County, Livingston County Water and Sewer Authority and other interested municipalities to apply for LGE funding for the Study; and

WHEREAS, the County of Livingston has agreed to act as the lead applicant and will seek \$300,000 in total funding through the Consolidated Funding Application/Department of State LGE Grant on behalf of the Town of Lima and other interested agencies; now, therefore, be it

RESOLVED, that the Town of Lima agrees to work collaboratively with Livingston County in the development of the CFA application and, if funded as a member of the Project Steering Committee; and further

RESOLVED, that the Town of Lima hereby agrees to name the County of Livingston as the lead applicant to submit a grant application, on behalf of the County of Livingston and interested and involved agencies in the amount of \$300,000 to the New York State Consolidated Funding Application of the Finger Lakes Regional Economic Development Council for the purpose of developing the Livingston County Comprehensive Water Supply Study Update Project, and it is further

RESOLVED, that the Town Clerk is hereby authorized and directed to forward a certified copy of this adopted resolution to the Livingston County Administrator.

#### **CERTIFICATION**

I, Jennifer Shanks, Town Clerk of the Town of Lima, Livingston County, New York, **DO HEREBY CERTIFY**, that I have compared the foregoing with the original resolution adopted by the Town Board of the Town of Lima at a meeting of said Board held on the 6th day of July 2017, and that the foregoing is a true and correct transcript of said original resolution and of the whole thereof, and that said original resolution is on file in my office.

**I DO FURTHER CERTIFY** that each of the members of said Town Board had due notice of said meeting. Present at such meeting were: Supervisor J. Peter Yendell, Deputy Supervisor, Catherine Gardner, Councilmember Bruce Mayer and Councilmember William Carey.

**IN WITNESS WHEREOF**, I have hereunto set my hand and the seal of the Town of Lima, this 7th day of July 2017.

(SEAL)

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Jennifer Shanks, CMC/RMC, Town Clerk

### **Water Supply Agreements between the City of Rochester & Town of Lima Water Districts #1 and #2**

Supervisor Yendell received a letter from the City of Rochester stating the agreement between the two will expire this fall. After discussion it was agreed Town Attorney Kruk, Supervisor Yendell, Highway Superintendent Arner, DPW Ben Luft and Mayor Carl Luft will meet and discuss possible changes to said contract. Arner believes a compliance agreement with the City of Rochester would be best if in the future the Town is not in agreement with the City of Rochester. Other options to get water supply are also available which will also be topic of discussion. Town Attorney Kruk stated he will make contact with water authorities.

### **New York State Model Solar Energy Law**

Tom Simpson, residing on Doran Road, had questions regarding the proposed local law. He stated and/or asked the following: if farmland is not tilled or farmed would that be entered into the proposed local law, Town Attorney Kruk responded that if the farmland is tillable it would more than likely not be permitted to install large scale solar. Mr. Simpson expressed people should be allowed to do what they want with their land. Steve said that is a matter that can be considered. Councilperson Gardner explained that the Farmland Committee discussed in great length, this topic, and agreed to refrain from having larger solar panels installed on better tillable soils. Mr. Simpson asked if a variance would be allowed if said local law passed. Mr. Kruk said they would most likely not approve a variance on prime tillable farmland. Councilperson Gardner added that large scale commercial solar installations are not typically sited in residential zones. Mr. Simpson asked what the timeline was to approve said proposed local law. Mr. Kruk said the draft of the law will be given to the town engineer and board for comment; decide if

changes need to be made and then a public hearing would be held, therefore, a local law would not be passed for a few months. Mr. Simpson said he will be at each meeting to discuss this topic. No further discussion was held. This topic will continue at the next regularly scheduled meeting.

**NYMIR (New York Municipal Insurance Reciprocal) Insurance Carrier**  
Supervisor Yendell informed the board NYMIR performed an underwriting survey for the Town of Lima, to make certain proper time and attention be devoted to providing a safe environment for officials, employees and others who use or visit the Town Hall. The letter went on to say, after careful consideration, there are no recommendations at this time.

### **Excellus Health Insurance**

Supervisor informed the board that a letter was received from Excellus indicating “the percentage change to your group’s premiums is 10.5%”. The board agreed to look at other plans.

### **General Announcements**

Councilperson Gardner attended the Planning Board meeting and stated developers expressed interest in the Salerno land he is trying to sell. The planning board gave preliminary approval. Councilperson Gardner stated this is good use of land and facilitates residential development near the Village.

Supervisor Yendell informed the board that summer student, Caleb, paid by the county is helping the town out. He is currently working with Highway Superintendent Arner chipping paint.

### **Executive Session**

Upon motion by Councilperson Mayer to move into executive session at 7:16 P.M., seconded by Councilperson Carey, the vote was unanimous.

### **Move out of Executive Session**

Upon motion by Councilperson Gardner to move out of executive session at 7:30 P.M., seconded by Councilman Mayer, the vote was unanimous.

Mr. Arner requested that Equipment Operator, Kenny East, be appointed as Deputy Highway Superintendent with an increase of \$1.30 per hour. He also requested an increase of \$1.00 per hour as he has his water operator

certificate. Upon motion by Councilperson Mayer, seconded by Councilperson Gardner, the vote went as follows:

CARRIED           Ayes: 4       Yendell, Gardner, Mayer, Carey  
                      Nays: 0

Discussion was also held about changing the Personnel Policy change to reflect 20% of the Town's portion of insurance premium will be the new buyout amount for those employees already covered with medical insurance who choose not to participate in the medical insurance offered by the Town of Lima. Said change will take effect on October 1<sup>st</sup> 2017. Upon motion by Councilperson Gardner to accept the increase in buyout for health insurance, seconded by Councilperson Carey, the vote went as follows:

CARRIED           Ayes: 4       Yendell, Gardner, Mayer, Carey  
                      Nays: 0

Upon Motion by Councilperson Mayer to adjourn at 7:30 P.M., seconded by Councilperson Gardner, the vote was unanimous.

Respectfully Submitted by:

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Jennifer Shanks, CMC/RMC  
Town Clerk