

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 3rd day of April 2014 at 7 P.M. Notice was printed in the The Mendon-Honeoye Falls-Lima Sentinel.

PRESENT: Supervisor, Pete Yendell
Councilperson, Cathy Gardner
Councilperson, Bruce Mayer
Councilperson, Dan Marcellus

Excused: Councilperson, Bill Carey
Town Attorney, Steve Kruk
Town Clerk, Jennifer Shanks
Highway Superintendent, Keith Arner

Guest: Duane Fuller

Supervisor Yendell called the meeting to order at 7:00 P.M., with the Pledge to the Flag.

Open Public Hearing - Local Law #2 of 2014- Concerning natural gas and/or petroleum exploration, extraction or production

Supervisor Yendell opened the public hearing at 7:05 P.M. for the purpose of considering the adoption of a local law known as "A local law to amend and supplement the Town of Lima Zoning Law adopted March 4, 2010 (as heretofore amended) by establishing a severability clause; confirming that any uses not expressly permitted are prohibited; articulating certain explicitly prohibited uses; adding certain new definitions, and changing certain existing definitions; and modifying, clarifying and adding to the provisions regarding variances." No discussion at this time.

SEQR Review for proposed Local Law #2 of 2014

Attorney Kruk explained page by page the information in the Type 1 action long form of the SEQR, the information he placed on the SEQR paperwork. He asked that a motion be made to declare the Town of Lima as lead agent in the SEQR process. Upon motion by Councilperson Mayer declaring the Town of

Location:

Town-wide, all zoning districts, Town of Lima
(Livingston County, New York)

FIRST: The Lima Town Board designates itself as lead agency for purposes of reviewing the project/action in accordance with SEQRA.

SECOND: The Lima Town Board finds and determines that the project/action is a Type 1 action pursuant to 6 New York Code Rules and Regulations §617.4(b)(9).

THIRD: The Lima Town Board of Trustees finds and determines that the project/action will not have a significant effect on the environment for the following reasons:

1. Compared against the criteria listed in 6 NYCRR Section 617.7, all indications are that the action will not cause a substantial adverse change to land, water, agricultural and air resources or drainage patterns, or in cultural and natural features, design and aesthetics in the surrounding area.
2. The action is in accord with the Town of Lima Comprehensive Plan adopted in March 2008, and subsequent local legislation enacted to protect and enhance agricultural integrity and farming operations in the Town.
3. The Livingston County Planning Board has reviewed the proposed action and recommended in favor of approval.

FOURTH: The Lima Town Board directs that a negative declaration be prepared consistent with this resolution and in accordance with the requirements of SEQRA.

Note: The SEQRA Negative Declaration was prepared and sent to the DEC April 21st.

Supervisor Yendell signed three (3) parts of the Full Environmental Assessment Form: Part 1-Project and Setting, Part 2-Identification of Potential Project Impacts and Part 3-Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance. Motion by Councilman Mayer, seconded by Councilperson Gardner, the vote went as follows:

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

A motion by Councilperson Mayer to accept the SEQR as reviewed and presented by Town Attorney Kruk, seconded by Councilman Marcellus, the vote went as follows:

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

ADOPTED Local Law #2 of 2014 - Proposed Zoning change - concerning natural gas and/or petroleum exploration, extraction or production

Motion by Councilman Mayer to close the public hearing and adopt Local Law #2 of 2014 the adoption of a local law known as "A local law to amend and supplement the Town of Lima Zoning Law adopted March 4, 2010 (as heretofore amended) by establishing a severability clause; confirming that any uses not expressly permitted are prohibited; articulating certain explicitly prohibited uses; adding certain new definitions , and changing certain existing definitions; and modifying, clarifying and adding to the provisions regarding variances" at 7:40, seconded by Councilperson Marcellus, the vote went as follows:

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

Audit of Claims

Resolved that the bills contained on Abstract #3 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Funds:	No. 87-117	\$ 22,890.13
Water Funds 1, 2 & 3:	No. 11 through 13	\$ 1886.29
Highway Funds:	No. 56 through 76	\$ 22,718.19

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

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

March 6, 2014 Meeting Minutes

The minutes of the March 6th meeting were approved as presented on a motion by Councilperson Mayer, seconded by Councilperson Marcellus, the vote went as follows:

CARRIED Ayes: 5 Yendell, Gardner, Marcellus, Mayer, Carey
 Nays: 0

March 29th, 2014 Joint Village & Town Meeting Minutes

Upon motion by Councilperson Gardner, subject to Village approval, to approve the minutes as presented from the joint March 29th meeting, seconded by Councilperson Mayer, the vote went as follows:

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

Office Hours Open During Lunch

Discussion was continued from the joint March 29th meeting of having the Village or Town office being open during lunch by having the Village and Town Clerk alternate their lunch schedules. No one was in favor, other than Councilperson Gardner, therefore the discussion of having an office open during lunch was dismissed at the present time.

Drop Box

Discussion was continued from the joint March 29th meeting regarding a drop box. All were in favor of having a drop box placed by the side door for residents to drop off payments when the office was closed, during lunch and also when the office was closed.

Boiler Preventive Maintenance

Supervisor Yendell received a quote from Van Hook Service Co., Inc. of \$1,045 to clean the boiler and replace the gaskets. The board agreed to have this work completed, as it has been 5 years, aside from the yearly maintenance and checkups.

Reports

Supervisor Yendell asked the board to approve the Supervisor's report. Upon motion by Councilperson Gardner to accept the Supervisor's report as accepted, seconded by Councilperson Marcellus, the vote went as follows:

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

Lift Replacement at Town Hall

Highway Superintendent Arner and his crew will remove the existing car in the vertical lift, saving the Town \$500. The new lift should be installed within a few months. Updates will follow as they are received.

Summer Recreation Committee

It was brought to the board's attention that Jean Lacey, Village Trustee, would like to disband the Summer Recreation Committee now that Honeoye Falls-Lima / Mendon School will be responsible for the summer recreation. Both Councilperson Mayer and Gardner would like to see where the Town money would be placed, approximately \$6000. Once a determination has been reached regarding assignment of these residual funds, the request for disbandment will be considered.

Ice Problems at the Court House

Jessie Phelps of Lima checked out the court house for spraying insulation and we are waiting for an estimate. Update will follow at the next board meeting.

Town Hall Roof Repair

Supervisor Yendell will contact David Kirkwood of the Lima Fire Department to have a lift truck come and look at the Town Hall roof.

Shared Services with the Village

There was discussion to have about pooling the Village and Town fuel bids. It was found that the County uses state bid and must have a 5500 gallon tank. It was noted the school would charge \$3.22 per gallon plus a .10 cent surcharge to use their facility. The Town Highway Department is currently priced at \$3.32.5. It was agreed that since the price is not substantial in savings it would be most convenient to continue purchasing fuel in Lima at Kirkwood.

Travel Conference for Keith

Superintendent Arner asked for approval to attend his annual highway conference. Upon motion by Councilperson Gardner to approve the training, seconded Councilman Mayer, the vote went as follows:

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

It was noted by Superintendent Arner that the cost of the Hotel will be covered by the Livingston County Town Highway superintendents. Registration for this conference is also free after 20 years of service, which Arner has completed.

Inquiry of Speed Limit on West Main Road by Ambulance Facility

Hildegard Turk is in the process of having a petition signed to reduce the speed limit from 55 to 45 MPH. Councilperson Mayer said speed is not the factor of either of the accidents that had occurred in that area. This speed reduction request was turned down by a few years back but he said if a petition is received he will, again, present same to the Livingston County Traffic Safety Board.

Resolution #1 of 2014-Banning Casinos

Supervisor Yendell asked the Board to accept a Resolution that was passed by the County Board. The resolution is in opposition of expanding casino gaming in Western New York. Upon motion by Councilperson Gardner to create Resolution #1 of 2014 state the Town of Lima is in opposition to expanding Native American Casino Gaming in Western New York, seconded by Councilperson Mayer, the vote went as follows:

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

Dog Park

Councilperson Gardner did some research and found dispensers holding dog waste bags can be purchased around \$150 and this would allow dog owners walking their dog at the Mark Tubbs Park to clean up after their dog. It was agreed to refer this suggestion, via liaison Councilman Mayer to the Park Committee for consideration. It was further discussed that bags could be purchased using monies received from the dog license renewal fees.

Upon Motion by Councilperson Mayer to adjourn at 8:50 P.M., seconded by Councilperson Marcellus, the vote was unanimous.

Respectfully Submitted by:

Jennifer Shanks
Certified & Registered Town Clerk