

## Official Minutes

An organizational 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 2<sup>nd</sup> day of January 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  
Councilperson, Bill Carey

EXCUSED: Town Attorney, Steve Kruk  
Town Clerk, Jennifer Shanks  
Highway Superintendent, Keith Arner

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

### **Organizational Appointments**

The Board approved organizational appointments, as follow herein, on a motion by Councilperson Gardner, seconded by Councilperson Mayer,

CARRIED AYES: 5 Yendell, Gardner, Carey, Marcellus, Mayer  
NAYS: 0

### **Organizational Appointments**

The Board approved the following on a motion by Councilman Gardner, seconded by Councilman Mayer, CARRIED Aye: 5

Town Bank:	Five Star Bank
Secondary:	M&T and Canandaigua National
Town Newspaper:	Sentinel
Accounting & Payroll:	Baldwin Business Services
Supervisor:	J. Peter Yendell
Town Justices:	Elvira Luhowy & Harold Harris
Deputy Supervisor:	Cathy Gardner

Town Clerk/Tax Collector:	Jennifer Shanks
Deputy Clerk:	Mary Smith
Superintendent of Highways:	Keith Arner
Building Inspector	Charlie Johnson
Librarian:	Cathy Allen
Historian:	Doug Morgan
Records Management Town:	Jennifer Shanks
Records Management Court:	Sara Harvey
Town Attorney:	Steve Kruk
Secretary to Joint Planning/Zoning Boards:	Deb Shaughnessy
Maintenance:	Roy Moses
Town Engineer:	Clark Patterson Lee
Registrar of Vital Statistics:	Jennifer Shanks
Deputy Registrar:	Mary Smith
Representative-County Traffic	Bruce Mayer
Alternate:	Pete Yendell
Custodian:	Richard Starr

All Highway bills and general bills to be audited the first meeting of the month.

MUTUALLY AGREED ON LIAISON POSITIONS:

Liaison to Highway Department:	Pete Yendell
Liaison to Planning Board:	Cathy Gardner
Liaison to Parks Commission:	John Correll/Dan Marcellus/Bruce Mayer
Liaison to Recreation Board:	Bruce Mayer
Liaison to Library Board:	Bill Carey
Liaison to Ag Committee	Cathy Gardner
Liaison to Community Services:	
Crossroads:	Dan Marcellus
Golden Age:	Bruce Mayer
Liaison to Cemeteries:	Bill Carey
Liaison to Zoning Board of Appeals:	Cathy Gardner
Liaison for Village:	Pete Yendell
Facilities Planning & Buildings/Grounds:	Town Board
Master Plan Communications:	Town Board
Personnel & employee Relations:	Pete Yendell/Cathy Gardner
Marketing Commercial & Industrial Growth:	Dan Marcellus/ T. Board
Expansion of Recreation Program:	Bruce Mayer
Project Funding & Grants:	Bill Carey/T. Board
Historical Society	Bill Carey

The standard workday for retirement calculations for elected and appointed officials, not subject to time and attendance reporting, shall be 6 hours. These positions include: Town Board Members, Assessor, Highway Superintendent, Town Justices and Town Supervisor.

**Town Boards & Commissions**

Joint Town & Village Planning Board

Meet 1<sup>st</sup> Wednesday

**Chairman**

George Gotcsik	7364 East Main Rd.	624-1854	2011-2018
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**Vice Chairman**

George Harvey	2563 Poplar Hill	624-1981	2011-2016
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**Members**

Brandon Armes	7353 East Main Street	208-9188	2013-2017
Rose Reynolds	7304 West Main Street	624-9464	2011-2018
Colleen Allen	1325 Rochester Street	624-1522	2011-2014
Doug Best	1411 Bragg Street Street	582-2956	2013-2017
Paul Osborne	7379 East Main Street	624-8186	2012-2016
Amy Klausner-alternate	7926 East Main Rd.	624-5501	2013-2014

**Zoning Board of Appeals**

Meet as needed

**Chairman**

John Bailey	1887 Livingston Street	624-1060	2011-2016
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**Vice Chairman**

Jim Van Dick	2031 Rainbow Lane	624-5817	2011-2017
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**Members**

Dennis Neenan	2275 Clay Street	582-1345	2013-2017
Duane Thompson	2630 Clay Street	624-1423	2011-2014
Duane Fuller	1840 Genesee Street	624-7452	2012-2014
Andy Matthews	7340 Doran Lane	624-1386	2011-2018
Steve Werner	7280 Kober Drive	624-2611	2011-2017

**Board of Ethics**

John Andrews	6963 W. Main Street	582-1137	2011-2015
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Michael Oklevitch	7261 Kober Drive	582-2053	2011-2014
Kevin Simmons	7446 East Main Street	624-5586	2011-2018
Hildegard Turk	7420 College Street	624-1399	2013-2017
Mary Jule Welch	1738 Rochester Street	624-4206	2011-2016

**Town Assessor**

6 Year Term

Robert Morgan	58 Canfield Road, Pittsford	705-2011	2007-2019
Marilyn Zaludny-Clerk			

**Assessment Board of Review**

Colleen Allen	1325 Rochester Road	624-1522	2008-2018
Doug Best	1411 Bragg Street	582-2956	2013-2017
Gary Milburn	2021 Rainbow Lane	582-2509	2006-2016
John Sylvester	7457 East Main Street	582-2223	2009-2014
Roy W. Moses	2713 Poplar Hill Rd.	346-2771	2014- 2015

**Parks Commission**

John Correll (Chairman)  
Pam Greiten  
John Wadach  
Charlie Johnson

**Recreation Board**

Antoinette Bowen (Chairperson)	624-4515
Heidi Zornow	624-5797
Jessica Tanner	624-8043
Ken Gould	943-2204
Jean Lacey (Village Liaison)	582-1476
Bruce Mayer (Town Liaison)	582-1070

**Historic Preservation Commission**

Martha Sempowski	624-2626	2015
Fran Gotcsik		2016
Robin Hargrave		2017
Rose Reynolds		2018
John Rutkowski		2014
Robin Ha		2017

**Green Energy Committee**

John Sempowski, Chairman	624-2626
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Jim Alday  
Doug Best  
Anthony Powell  
Karen Waldron-Johnson

**Agricultural Committee**

Dennis Neenan, Chairman  
Ted Zornow  
Dick Gruschow  
Ed Blodgett, Jr.  
Ron Blodgett, Jr.  
Jeff Shanks  
Mike Neenan  
Marc Krieger, Alternate

**Lima Golden Age Club**

A.J. Stephany		582-2022
Don Schunk	V. President	624-3864
Judy Stephany	Treasury	582-2022
Sheila Ruth	Secretary	624-4160
Sandy Shusda	Sunshine Chairman	

**Library Board**

Shirley Caccamise - President	2010-2014
Sandy Shusda	2009-2018
Christina Preston	2007-2016
Linda Banfield	2011-2015
Sharon Neenan	2013-2017

\*\*\* Special Meetings may be called with a two day notice and public posting in 3 locations, example: Town Clerks Legal Bulletin, Kirkwood's, USPS and Save-a-Lot, with notice given to the news media as well.\*\*\*\*

Dated January 2, 2014

**Resolution #1 of 2014-Blanket Undertaking**

Supervisor Yendell read the Blanket Undertaking listed below:

**WHEREAS**, section 11 of the Public Officers Law authorizes the governing body of a municipality to procure a blanket undertaking to cover officers, clerks and

employees of the municipality who would otherwise be required to post an individual undertaking; and

**WHEREAS**, such blanket undertaking must indemnify against losses through the failure of officers, clerks or employees to faithfully perform their duties or account for moneys or property received by virtue of their position or employment and through fraudulent or dishonest acts committed by officials, clerks or employees covered there-under, now, therefore, be it

**RESOLVED**, that the Lima Town Board consents and approves a blanket undertaking to cover all officers, clerks and employees required by law to post an undertaking which undertaking shall be provided by the following policies:

- Public Officials Liability Policy, provided by NYMIR, Policy Number MPOLTMA001.
- Government Crime Policy provided by National Grange Mutual, Policy Number F200038.

Dated at Lima, New York  
January 2, 2014

### **Board of Assessment Review**

Supervisor Yendell reported that Roy Moses expressed interest in serving as a member of the Board of Assessment Review. The vacant position has been advertised and posted for several months and Mr. Moses is the only applicant for the position. On a motion by Councilperson Mayer, seconded by Councilperson Gardner, Roy Moses was appointed to fill the appointment vacated by John Rutkowski, for a period of two years, expiring in 2015.

CARRIED AYES: 5 Yendell, Gardner, Carey, Marcellus, Mayer  
NAYS: 0

### **RESOLUTION #1 of 2014 – Blanket Undertaking**

Supervisor Yendell read the Blanket Undertaking as follows:

**WHEREAS**, Section 11 of the Public Officers Law authorizes the governing body of a municipality to procure a blanket undertaking to cover officers, clerks and employees of the municipality who would otherwise be required to post an individual undertaking; and

**WHEREAS**, such blanket undertaking must indemnify against losses through the failure of officers, clerks or employees to faithfully perform their duties or account

for moneys or property received by virtue of their position or employment and through fraudulent or dishonest acts committed by officials, clerks or employees covered thereunder, now therefore, be it

**RESOLVED**, that the Lima Town Board consents and approves a blanket undertaking to cover all officers, clerks and employees required by law to post an undertaking which undertaking shall be provided by the following policies:

- Public Officials Liability Policy, provided by NYMIR, Policy Number MPOLTMA001
- Government Crime Policy provided by National Grange Mutual, Policy Number F200038

Dated at Lima, New York  
January 2, 2014

On a motion by Councilperson Carey, seconded by Councilperson Mayer, Resolution #1 of 2014, Blanket Undertaking, was adopted.

CARRIED AYES: 5 Yendell, Gardner, Carey, Marcellus, Mayer  
NAYS: 0

### **Audit of Claims**

Resolved that the bills contained on Abstract #1 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Funds:	No. 1 through 16 and 408	\$25,667.23
Water Funds 1, 2 & 3:	No. 1	\$ 1,079.95
Highway Funds:	No. 1 through 18	\$33,155.54

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

### **December 27, 2013 Meeting Minutes**

The minutes of the December 27, 2013 meeting were approved as presented on a motion by Councilperson Gardner, seconded by Councilperson Marcellus, the vote went as follows:

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

Nays: 0

**Guest(s): None**

**Lift Replacement at Town Hall**

Supervisor Yendell will convene a meeting in January with Councilpersons Mayer and Gardner to discuss and study the feasibility of an elevator upgrade in lieu of a lift replacement, in order to provide access to all levels of Town Hall.

**Water Supply Inspection Report**

Supervisor Yendell read the observations, requirements, reminders and comments contained in a "Town of Lima Public Water Supply Inspection Report, Public Water Supply Number: NY2525000, Population 220" completed by the Livingston County Department of Health and dated December 20, 2013. The survey was conducted on December 12, 2013. Summary remarks noted that, "The condition and operation of the water system are in good order. Mr. Arner and his fellow operators do a fine job maintaining the system and preparing the required reports." As previously reported by Superintendent Arner, it was noted that a slightly elevated level of disinfection byproduct, 0.094 mg/L for Total Trilhalomethanes (TTHMs) as compared to the maximum allowable containment level of 0.08 mg/L, was reported by the Town and will require quarterly monitoring in 2014. Lima's public water supply is provided by the City of Rochester.

**Cemetery and Town Lawn Mowing**

Supervisor Yendell reported that Norm Stratton may be interested in the mowing assignment for 2014. Councilperson Marcellus inquired about insurance arrangements, in the event that the Town retains an individual for the assignment, rather than an outside contractor as in recent years. Supervisor Yendell replied that the agreement may be structured as a temporary, part-time employment position. Councilwoman Gardner will draft a statement of mowing specifications, in accordance with earlier discussion on the topic. Supervisor Yendell will discuss the plan with Superintendent Arner, for further review at the next regular meeting of the Town Board.

**Moratorium/Hydrofracturing Update**

Attorney Kruk will review the proposed zoning update received from David Slottje, Esq. at the next regular meeting of the Town Board.



### **Board Member and Attorney Announcements**

A discussion was held concerning the possibility of skating on the pond at Mark Tubbs Park. Several safety concerns were identified, including the potential for difficult access by emergency responders in winter conditions in the event of an accident, the depth of the pond water and the potential for unsupervised skaters to misjudge the safety of ice conditions. Councilman Marcellus suggested that consideration be given to making \$300, the amount that it would cost to obtain an insurance rider if skating were permitted on the pond, available to interested skating parties to construct a filled rink near the parking lot, as was done in earlier years. It was agreed to forward this suggestion to the Park Commission and the Village Board for consideration.

A meeting to assess needs for the planned computer upgrade was set for January 30 at 9 AM. Councilman Marcellus will interview the supervisor, clerk, building officer and assessor to identify requirements for the new system.

Upon Motion by Councilperson Carey to adjourn at 7:27 P.M., seconded by Councilperson Marcellus, the vote was unanimous.

Respectfully Submitted by:

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Catharine Gardner \*

\*NOTE: Jennifer Shanks, Town Clerk was on vacation and inclement weather made it impossible for Mary Smith, Deputy Clerk, Mary Smith, to attend.