

Regular Meeting
April 11, 2017

Mayor: Carl Luft

Trustees: John Wadach, Joe Schwing, Jerry Warsaw, John Correll

Attorney: Steve Kruk

Supt. Public Works: Ben Luft

Recording Secretary: Marsha Osborne

Guests: Fire chief Jim Pribanich, Duane and Gail Fuller, John Little, Robert Richardson, Jonnie Gagliano

Meeting opened at 7:00 pm with the Pledge.

MOTION

Motion made by Jerry Warsaw, seconded by John Correll to approve the March 14, 2017 minutes as corrected. All in favor. Motion unanimously approved.

MOTION

Motion made by Joe Schwing, seconded by John Correll to approve abstracts A-10 for \$16,889.92, Ambulance Fund for \$1,436.44, F-9 for \$10,455.56, G-10 for \$7,646.30 and Water Reserve Fund for \$2,391.00. All in favor. Motion unanimously approved.

7:03 pm OPEN PUBLIC HEARING ON PROPOSED 2017-2018 BUDGET

Fire Department Report was given to the Board. Jim would like to thank Ben and the crew for all the snow removal work this past winter. He also stated that the new generator for the emergency shelter has been received.

At this time, the Mayor recognized the guests in the audience and reviewed previous discussions and issues regarding front yard parking. The Mayor stated that at a previous meeting the Board voted not to act on this issue at that time. The Mayor suggests that the Village Board enforce the law as it is written and that in the future residents have the option to ask for a variance, which puts the responsibility on the homeowner to prove his need.

John Little: gave history of the issue. He feels Lima is missing something in governmental structure to get people to care for their yards.

Jonnie Gagliano: vehicles parked in the front yard at 1858 Genesee Street block her vision when she is pulling out of her driveway. She has spoken to the homeowner, Steve Hahn; he has told her he cannot do anything about this.

Duane Fuller: stated the graveled driveway in the front yard/lawn is against the law. He also states that the homeowner uses the house to make money and doesn't care; the newly graveled parking area is not within the 10' limit; it is against the law and needs to be removed. He states the Village needs to enforce this law before it becomes grandfathered.

Robert Richardson: states that the sidewalk on Genesee is heavily used; the tenants in the home are disrespectful to the neighbors, and this is a safety issue for the children and students who use the sidewalk. He says the law needs to be enforced.

There was Board discussion on how to enforce this law. The village attorney agreed that this can be enforced on an ad hoc basis. It was decided by the Board that Charlie Johnson, Building Inspector, will issue a Stop Work Order to the owner ASAP. The village attorney called Charlie from the meeting and left a detailed message with this instruction.

The guests also asked if there was a way to force the tenants/homeowner to take better care of the property. Attorney Kruk stated the Village cannot force a homeowner to pick up their yard as long as it is not a safety issue. He also stated that this issue would be a second complaint/continuation to the original complaint.

MOTION

Motion made by Jerry Warsaw, seconded by Joe Schwing to instruct the Building Inspector to put an immediate Stop Work Order at 1858 Genesee Street, Steve Hahn's property effective tomorrow, April 12, 2017 early morning, before any more work can be done. All in favor. Motion unanimously approved.

The Building Inspector Report, Ambulance Report, WWTP Report, and Jobs Completed by Village crew were given to the Board.

Ben stated that a memorial block for Virginia Hays has been received; however, he is still waiting for information from the Park Commission as to which location has been chosen and what type of tree should be purchase. Trustee Correll will follow up with the Park Commission.

Mayor Luft stated that the \$1,000.00 LCA Grant check was received. The clerk will contact Mike Falk and let him know we received it.

The Village attorney reviewed why the Village may need to update local laws regarding exemptions. Livingston County is anticipating an audit for real property taxes and they are asking local assessors to update/redo local laws to show correct numbers. Currently, the Village of Lima is under county limits as shown on tax bills. Discussion was held on this matter. The Village attorney recommends the Village Board do this in 2018.

MOTION

Motion made by John Correll, seconded by Jerry Warsaw to authorize the mayor to sign the 2017 Summer Recreation contract. The Town Board of Lima has already signed. All in favor. Motion unanimously approved.

Mark Tubbs Park Issues: A vehicle drove through parts of the park, leaving ruts in the fields. Ben reported that the front gate at the park is open 24 hours a day and the bathroom doors have timer locks. There was discussion on how to secure the park at night. Trustee Wadach volunteered to lock the front gate at dusk every evening. Ben will install reflective tape on the gate. Mayor Luft has heard that the Park Commission is considering purchasing new playground equipment. He reminded Trustee Correll that the procurement policy would need to be followed and before anything can be finalized, the Village Board would need to see the size and scope of this project. Trustee Correll responded that the Park Commission is not at that point yet but he will keep the Village Board in the loop. Trustee Correll had also been approached by some concerned senior citizens about "brightening up" the park. Trustee Correll will contact the Rotary to get their input.

MOTION

Motion made by Jerry Warsaw, seconded by John Correll to allow the mayor to sign the AT&T contract proposing the addition of a 35 K W natural gas permanent emergency generator system at the site, premised upon the Building Inspectors issuance of a building permit only when plans are changed by General Dynamics to raise the generator base to avoid possible flooding. All in favor. Motion unanimously approved.

The letter to Shanks Enterprises, Inc., Coakley Disposal Service, Inc., and Water Management concerning the separation of recycled items from trash was reviewed and discussed with the Board. It was agreed that this letter will be sent out.

Trustees Warsaw, Wadach and the Mayor Luft will attend the April 26 Village Association Dinner Meeting.

Mayor Luft informed the Board that Martha & John Sempowski have resigned from the Green Energy Committee and Architectural Review Committee as they are moving. The mayor will send a letter of thanks.

Trustee Wadach will be continuing the grant process to refurbish the water tower. It was noted that the Village was denied twice for grant funding.

The village clerk will contact the NYS DOT for permission to close East and West Main Streets for the annual Memorial Day parade.

MOTION

Motion made by Jerry Warsaw, seconded by Joe Schwing to close the Public Hearing on Proposed 2017-18 Budget. All in favor. Motion unanimously approved.

MOTION

Motion made by Jerry Warsaw, seconded by Joe Schwing to adopt Local Law #1 of 2017 to Over-ride the tax cap. All in favor. Motion unanimously approved.

MOTION

Motion made by Joe Schwing, seconded by John Correll to adopt the proposed 2017-18 Village of Lima budget as changed as discussed. All in favor. Motion unanimously approved.

9:45 PM Motion to adjourn