

## 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 October 2016 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
Excused	Councilperson, Dan Marcellus
	Town Clerk, Jennifer Shanks, CMC/RMC
	Town Attorney, Steve Kruk
Excused	Highway Superintendent, Keith Arner

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

### **Guest(s):**

#### **Open Public Hearing for the 2017 Budget Workshop**

Supervisor Yendell opened the public hearing to discuss the 2017 budget. Discussion was held. Councilperson Gardner recommended we maintain the current budgeted amount of \$5,000 for future investments for the park instead of the proposed amount of \$2,000. She indicated it has always been \$5,000 and that in order to maintain the park properly that amount needs to continue each year. Supervisor Yendell initially reduced the fees to match the Village's amount budgeted, however, after discussion it was agreed to discuss this topic at the joint Town & Village meeting in January 2017, asking that the Village also continue to budget \$5,000 instead of \$2,000. The park and any fees to maintain same are shared between the Town and Village of Lima.

A legal notice to pass the 2017 budget will be published for the November 3<sup>rd</sup> meeting.

**Regular Town Board Meeting started at 6:35 PM**

**Open Public Hearing for Fuel Bids and Two (2) Fire District Agreements between the Town and Village & Lakeville Fire Districts at 6:35 PM.**

**Audit of Claims**

Resolved that the bills contained on Abstract #10 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Funds:	No. 261 through 288	\$ 13,447.89
Water Funds 1, 2, &3:	No. 33 through 35	\$ 1,895.86
Highway Funds:	No. 177 through 196	\$ 33,539.61

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

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

**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. On a motion by Councilperson Mayer to accept the Supervisor’s reports, seconded by Councilperson Carey the vote went as follows:

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

**September 1<sup>st</sup> Joint Village & Town Board Minutes and Regular Town Board Minutes**

The minutes of the September 1st meetings were approved as presented on a motion by Councilperson Mayer, seconded by Councilperson Carey, the vote went as follows:

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

### **2017 Livingston County Visitor Guide Advertising**

Supervisor Yendell asked the board if they wished to advertise, again, in the Chamber of Commerce & Tourism visitor Guide. The board agreed to advertise but not to exceed \$750. Upon motion by Councilperson Mayer to advertise, seconded by Councilperson Gardner, the vote went as follows

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

### **Historian Replacement**

Supervisor Yendell informed the board that Joyce Rapp is interested in being the Town of Lima Historian, again. It was discussed that the advertisement for this position has a deadline of October 25<sup>th</sup>. Any letters of interest will be discussed at the November 3<sup>rd</sup> meeting.

### **Planning Board Opening**

The board discussed the vacant spot on the Planning Board since Brandon Arme's relocating to Honeoye Falls. The board agreed this is a Village appointment.

### **C.E.N. Properties, LLC Update**

No update at this time.

### **Lighting Proposal from National Grid**

No new information. Updates to follow.

### **Intermunicipal Agreement – Joint ZBA and PB**

Town Attorney Kruk distributed a draft Intermunicipal Agreement further defining and regulating the creation and maintenance of the Joint Boards by both the Town and Village Board. The Board will review same to discuss and pass at the November 6<sup>th</sup> meeting.

Note: In 2010 both the Town of Lima and the Village of Lima enacted parallel local laws creating one joint and unified Planning Board and one joint and unified Zoning Board of Appeals. Since that time, the joint Boards have dealt with planning and zoning issues for both municipalities.

**Water System Field Compliance Report**

Supervisor Yendell received “A review of Compliance with Subpart 5-1 of the New York State Sanitary Code” and same indicates “no public health hazards at the time of inspection dated September 8, 2016.

**Fuel Bids for Highway Department**

Supervisor Yendell informed the board that Clerk Shanks received one fuel bid from Kirkwood Energy Products. The bid gave a fuel proposal for the 2017 calendar year of: Diesel +.10/gallon over Kirkwood cost and gasoline 87 octane +.10/gallon over Kirkwood cost. Upon motion by Councilperson Carey to close the public hearing at 7:30 PM and accept Kirkwood Energy Products fuel proposal for diesel and gasoline, seconded by Councilperson Mayer, the vote went as follows:

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

**Close Public Hearing & Approve Contracts for Lakeville & Village of Lima Fire Departments for fire coverage in the Town of Lima**

Upon motion by Councilperson Mayer to close the public hearing at 7:36 PM and approve both the Lakeville Fire contract at \$6,000 for the 2017 year and the Village contract at \$96,123.16, seconded by Councilperson Gardner, the vote went as follows:

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

**Transfer of Funds for Milling Head**

Highway Superintendent Arner requested a transfer of \$2300 from account DA2665 to be transferred to account DA5130.2 to purchase a milling head for maintenance at Mark Tubbs Park and fees to be split 50/50 with the Village. Motion by Councilman Mayer to approve said transfer, seconded by Councilperson Gardner, the vote went as follows:

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

## Resolution Accepting Dusett Lane

### RESOLUTION #5 of 2016

Town Board  
Town of Lima  
County of Livingston

**At a regular meeting of the Town Board of the Town of Lima, held at the Lima Town Hall, 7329 East Main Street, Lima, New York on the 6<sup>th</sup> day of October 2016.**

**WHEREAS**, the Town of Lima maintains all dedicated roads located within the Town of Lima; and

**WHEREAS**, the Town of Lima, by its Town Highway Superintendent, Keith Arner, has undertaken and recently completed an inventory of all of the local highway assets of the Town of Lima; and

**WHEREAS**, the New York State Department of Transportation has provided to the Town Highway Department data and information confirming the measured length of the local roads maintained by the Town of Lima; and

**WHEREAS**, the Town of Lima has not previously included in its road inventory the public road known as Dusett Lane; and

**WHEREAS**, the Town Highway Superintendent of the Town of Lima has personally viewed all of the local roads currently owned and maintained by the Town; and

**WHEREAS**, it has been determined that the Town road known as **Dusett Lane** has been measured and in its full length is to be added to the official inventory of Town of Lima roads, and that the official, reported length of **Dusett Lane** is .27 (twenty-seven one-hundredths) of one mile;

**NOW, THEREFORE**, in consideration of the foregoing, it is hereby determined upon motion by William Carey, and seconded by Bruce Mayer, as follows:

**RESOLVED**, that the Town Board of the Town of Lima officially affirms and takes cognizance of the fact that for at least ten (10) years **Dusett Lane** has been a public right-of-way of the Town of Lima, beginning at its point of intersection with the public road known as East

Main Road (Routes 5 & 20) and extending to its terminus easterly, for a total measured length of .27 (twenty-seven one-hundredths) of one mile; and

**RESOLVED**, that the Town Highway Superintendent and the Town Board acknowledges that the road known as Duset Lane is fully paved and improved to its complete extent of .27 miles, and that the Town has at all times during the memory and employment of the Town Highway Superintendent maintained Duset Lane, which has been open to the traveling public at all times without impediment and without restriction. Duset Lane is passable by all vehicles, including four-wheel passenger vehicles; and it is further

**RESOLVED**, that the Town Clerk and/or the Town Highway Superintendent file with the New York State Department of Transportation this Resolution, establishing the official inclusion of Duset Lane within the roster of roads maintained by the said Town, and further establishing its measured length of .27 (twenty-seven one-hundredths) of one mile, in order to make it part of the formal inventory of Town roads.

Dated: October 6, 2016

Vote of the Board:

J. Peter Yendell	Aye
Catharine Gardner	Aye
William Carey	Aye
Daniel Marcellus	Excused
Bruce Mayer	Aye

**BY ORDER OF THE TOWN BOARD OF  
THE TOWN OF LIMA**

JENNIFER SHANKS, Town Clerk

### **Board of Assessment Review Vacancy**

Supervisor Yendell informed the board he received a letter of interest from Genevieve Correll.

**Firework Approval to Share Cost with the Village**

Supervisor Yendell informed the board that Mayor Carl Luft asked for board approval to purchase and split the cost of the Fourth of July fireworks for next year. Upon motion by Councilperson Gardner to split the fees, seconded by Councilperson Mayer, the vote went as follows:

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

Upon Motion by Councilperson Mayer to adjourn at 8:00 P.M., seconded by Councilperson Gardner, the vote was unanimous.

Respectfully Submitted by:

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Jennifer Shanks, CMC/RMC  
Town Clerk