

OFFICIAL MINUTES

A joint meeting with the Village & 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 7th day of September 2017 at 6:00 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
Town Clerk, Jennifer Heim, CMC/RMC
Town Attorney, Steve Kruk
Highway Superintendent, Keith Arner

Village Members:

Mayor, Carl Luft
Deputy Mayor, John Wadach
Trustee, Jerry Warsaw
Trustee, John Correll
Trustee, Joe Schwing – arrived at 6:15
Superintendent of Public Works, Ben Luft

Guest(s) Mike Falk, Pat Reynolds, Colleen Allen, John Bean, Jonathan M. Belec and Tom Simpson

Supervisor Yendell called the joint meeting to order at 6:00 P.M., with the pledge to the Flag led by Veteran Pat Reynolds.

Honor a Veteran

The Town Board honored Pat Reynolds for his loyalty to the community and service to our country. Mr. Reynolds served as a Navy Veteran from 1971 to 1974 and received “Good Conduct” medal.

Request for EV Charging Station

John Wadach started the discussion of an EV charging station situated in the Village of Lima. Location was the main topic between the boards. Some members wanted the station located in the Town Hall parking lot while other

members believe the station should be visible and on Main Street. Mike Falk read and handed a petition, to the Town Clerk. The petition is against the EV station being located on Main Street, taking up prime parking to businesses on Main Street. The signed Petition is included below. After discussion it was agreed by both boards to apply for the grant and if the grant is received discuss location then.

New Website Design

Councilperson Marcellus pulled up some mock websites on the projector to update the Town and Village website. Discussion was held and some changes were mentioned, such as reformatting, more content available that is on the current website, a spot for residents to sign up for email communications, a most visible spot for the park etc. Councilperson Marcellus asked that a web address be put in the minutes and members of both boards visit same to agree to a design. That website is www.gvsamples.info. A Facebook page was also mentioned to be established for communications, but nothing further was discussed.

Water Tower Project

Mayor Carl Luft informed the board that two (2) bids for the water tower project were received August 15, 2017. The bids were from M.W. Controls, Services, Inc. and Blue Heron in the amounts of \$253,660.00 and \$356,000.00. Luft mentioned the Village Board accepts the bid of M.W. Controls Service, Inc. in the amount of \$253,660.00. Luft mentioned the Town portion to be approximately \$26,000.00 to \$28,000.00. Councilperson Gardner asked if there will be any interruptions to the water service during this project. Mayor Luft said there should be no impact or interruptions. The project is projected to be complete by December.

Park Update

Ben Luft, Superintendent of Public Works, said the installation of cameras at the park has helped with vandalism. John Wadach mentioned the Park Commission is looking for grants to bring swings, climbing walls, extra seating, picnic tables for the elderly, etc., to the park. Grants are submitted end of June. John Correll asked Keith Arner, Highway Superintendent about the stone dust trails, mentioning the wear of these trails. Arner is happy to replace the finer dust on top and will do so more often if it needs to be done. Mowing of the two (2) lower meadows was also mentioned. Arner mentioned he will take a look to see what can be done. All members agreed that the park

is being utilized. Ben Luft also mentioned he and his crew have pulled out about 80 trees from the park.

Open Public Hearing at 6:35PM – Fire Contracts

Supervisor Yendell opened the public hearing at 6:35PM relating to Lakeville and Village Contracts with the Town. No discussion at this time.

Fire Department Budget

Mayor Luft distributed a handout titled “FIRE PROTECTION CONTRACT 2017-2018”. This handout showed breakdowns for: Fire Department, Insurance and Administration. The total amount paid by the Town is \$95,957.26 to the Village for protection. Councilperson Gardner stated that she would like to see the town become more engaged in hearing directly from the LVFD during the annual budget request. She acknowledged the town’s responsibility to ensure reliable fire protection service in the town and expressed interest in staying more closely informed about needs of the department, in a time when many volunteer organizations are experiencing reduced membership and needing to maintain service capacity. She also expressed interest in conducting annual review of the division of fire service budget between the village and the town. It is divided 50:50 each year, but the town has more capacity to grow and this may justify a change in that formula at some future time. Carl said he would welcome the town fire department liaison to be involved in the annual budget process and that the Village would be willing to look at that but that it has always been 50/50 between the Town and Village. Mayor Luft mentioned that more volunteers would be helpful. Councilperson Gardner said the Town could possibly put this information on the next newsletter to get the word out. Supervisor Yendell mentioned that newer fire trucks have become very expensive and that fire departments may need to begin partnering to purchase and share some equipment in the future. Trustee Correll agreed for the need to become more strategic in purchasing equipment. The discussion ended with Mayor Luft saying he is blessed to have a great volunteer Fire Department as costs to run a paid department are too high.

Curbside Market

John Correll mentioned the Curbside Market. The Curbside Market, in operation since 2013, is a farm stand on wheels. They have three trucks on the road thanks to a grant from the Citizens Bank Growing Communities Initiative and financial support from the Greater Rochester Health Foundation and

Excellus BCBS. The idea is to bring fresh, affordable produce to areas where fresh fruits and vegetables are not easily accessible. The market accepts cash, debit, SNAP and WIC and Senior Farmers Market Nutrition Program (FMNP) checks. John said a truck will be coming to Lima in October and encouraged the boards and residents to visit the truck.

ADJOURN JOINT MEETING - Motion at 7PM to adjourn the meeting was made by Trustee Warsaw, seconded by Councilperson Mayer, the vote was unanimous.

Town Board Meeting Commences at 7PM

Fire Contracts

Supervisor Yendell asked if anyone would like to speak on the Fire Contracts opened at 6:35PM. No discussion.

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 Mayer the vote went as follows:

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

Audit of Claims

Resolved that the bills contained on Abstract #9 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Funds:	No. 246 through 271	\$ 17,910.91
Water Funds 1, 2, &3:	No. 22 through 25	\$ 2,775.63
Highway Funds:	No. 148 through 175	\$ 94,033.22

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

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

August 3rd Minutes

The minutes of the August 3rd Meeting were approved on a motion by Councilperson Gardner, seconded by Councilperson Mayer, the vote went as follows:

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

New York State Model Solar Energy Law

Town Attorney Kruk indicated the proposed local law, not allowing Large Scale Solar Energy Systems, was referred to the County Planning Board for any proposed changes or suggestions. Together with County planner, Mary Underhill, Councilperson Gardner spoke with NYSERDA and asked them to provide us with any comments. The board agreed to get all information, comments, suggestions, etc in place before scheduling a public hearing. Tom Simpson was present and expressed his opposition, and an email, to the Town Board to make solar farms illegal in the Town of Lima. He expressed the proposed ban is unfair for a number of reason, including owners who are not farming their land will be prohibited from earning income from their land, he mentioned land owners should have the right to decide how best to utilize their land, etc. John Bean was present to say he feels allowing Large Scale Solar Systems is a positive move for farmers and for the town, especially land that is not farmed and/or is hard to farm. Mike Falk stated the current infrastructure in some areas will hold the load for smaller groupings of solar panels. Discussion continued and the board agreed they are not rushing into passing this local law before all suggestions from other boards are received and they are not closed to the possibility of making some revisions if deemed appropriate after further review. This topic will continue at the next regularly scheduled meeting.

Water Supply Agreement between the City of Rochester & Town of Lima Water Districts #1

Supervisor Yendell asked for approval of the Water Supply Agreement for District #1 (between the City of Rochester and Town of Lima). Upon motion by Councilperson Mayer, seconded by Councilperson Gardner, the Agreement was accepted. The vote went as follows:

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

Close the Public Hearing for Fire Contracts

Councilperson Mayer closed the public hearing at 7:25PM after no discussion, seconded by Councilperson Marcellus, the vote was unanimous.

Approve the Fire Contract with Village of Lima

Upon motion by Councilperson Carey to approve the Fire Contract with the Village of Lima, fees went up \$232.00 for a total of \$95,957.26 for 2018, seconded by Councilperson Mayer, the vote was unanimous.

Approve the Fire Contract with the Lakeville Fire Department

Upon motion by Councilperson Gardner to accept the Fire Contract with the Lakeville Fire Contract, no changes were made and fees remained \$6,000 for the 2018 year, seconded by Councilperson Mayer, the vote was unanimous.

2017-2018 Contract for Snow & Ice Removal with the Livingston County Highway Department

Upon motion by Councilperson Mayer to approve the Contract for Snow & Ice with the County, seconded by Councilperson Gardner the vote went as follows:

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

Resolution #6 of 2017 – Snow & Ice Contract

RESOLUTION #6 of 2017
At a Regular Meeting of the Town Board
Of the Town of Lima
Held at the Town Hall
On September 7, 2017

The following resolution was duly moved, seconded and adopted:

RESOLVED, that pursuant to Highway Law Section 135-a providing for snow and ice control on County Roads within the Town, the Supervisor and the Town Highway Superintendent be and they are directed to execute a contract with the County Highway Superintendent of the County of Livingston for the Town to undertake and perform snow and ice control on County Roads located in the Town for the period beginning October 15, 2017 and ending October 14, 2018 at the rates therein provided.

PRESENT:

<i>Supervisor</i>	<i>Yendell</i>	<i>Yes</i>
<i>Councilperson</i>	<i>Gardner</i>	<i>Yes</i>
<i>Councilperson</i>	<i>Mayer</i>	<i>Yes</i>
<i>Councilperson</i>	<i>Marcellus</i>	<i>Yes</i>
<i>Councilperson</i>	<i>Carey</i>	<i>Yes</i>

STATE OF NEW YORK}

COUNTY OF LIVINGSTON} SS.:

The undersigned, Town Clerk of Town of Lima, does hereby certify that I have compared the foregoing copy of the resolution attached hereto with the original thereof now on file within my office and that the same are true and correct copy thereof and of the whole of said original.

WITNESS my hand and seal this 7th day of September 2017.

SEAL

Jennifer Heim(Shanks), Town Clerk

Genesee Community College Walkway

Discussion was held to proceed with a sidewalk to GCC. Highway Superintendent Arner said he is busy installing the bridge on Cleary Road, and could probably still fit in some time to start a small section of the sidewalk, but would not be able to initiate the work needed to begin at the Gale Rd and Rt 15A intersection due to utility and other complications. Town Attorney Kruk mentioned three (3) easements, specifically from three residential properties immediately north of the Lima Baptist Church property, are needed to allow construction in that area. Councilwoman Gardner mentioned that the NYSDOT, which is the agency that sometimes facilitates grant money for projects of this type, requires that any needed easements be in place and places importance on sidewalk connections as opposed to ‘sidewalks to nowhere’ that begin/end without a suitable destination when considering funding requests. Councilman Marcellus expressed strong support for getting all of the required planning steps completed, including easements and utility reviews, before undertaking construction. The board reached a consensus to proceed with property owner contacts and Attorney Kruk agreed to make the contacts and provide an update at the October meeting. It was further agreed that the target for beginning construction will be 2018, preferably with a connection starting at the end of the village

sidewalk system. Further discussion at the next regularly scheduled board meeting.

2002 Swenson Sander for Sale at the Monroe County Auction

Highway Superintendent Arner asked for board approval to sell a 2002 Swenson sander at the Monroe County auction. Upon motion by Councilperson Gardner to sell same, seconded by Councilperson Marcellus, the vote went as follows:

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

Go Out to Bid for Fuel

Arner asked the board for approval to go out to bid for fuel. Upon motion by Councilperson Mayer, seconded by Councilperson Carey, the vote went as follows:

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

Upon Motion by Councilperson Mayer to adjourn at 8:40 P.M., seconded by Councilperson Carey, the vote was unanimous.

Respectfully Submitted by:

Jennifer Heim, CMC/RMC
Town Clerk