

Regular Meeting  
June 24, 2014

Mayor: Carl Luft

Trustees: Jerry Warsaw, John Correll, Joe Schwing, Jean Lacey

Attorney: Steve Kruk

Supt. Public Works: Ben Luft

Recording Secretary: Linda Banfield

Guests: Dick Garey, John Bailey, Brandon & Joanna Armes, Kevin Simmons, Andrea Wager, Robin Hargrave, Lil DeFranco, Kristen & Paul Evans, Wayne & Linda Marion, Steve Evans, Dan & Kathy Davis, Mike & Eileen Oklevitch, Virginia Mazzarella, David Cabrera, Josh Petraitis, Cindy Depuy, Charlie Johnson ( Bldg Insp.)

Meeting opened at 7:00 pm

MOTION

Motion made by Jerry Warsaw, seconded by John Correll to approve the minutes of June 10, 2014 as amended. Motion unanimously approved.

Jobs Completed by Village Crew was given to the Board. Ben informed the Board that they will be milling out and paving Meadowview Drive and he has received the following bids: Decca Paving has the county bid for milling out a road at \$4200.00. They never returned Ben's call. Villager Construction put out a bid for \$3900.00 and can do the work the first week in July. Spallina Construction has the county bid for doing the blacktop work and came in at \$34,804.20 and can do the work in August. Hanson Aggregates came in with a bid for the blacktop at \$30,780.00 and can do it the first week in July. Ben recommends Villager Construction for the milling and Hanson Aggregates for the paving.

MOTION

Motion made by Jean Lacey, seconded by Jerry Warsaw to approve Villager Construction for the milling at a cost of \$3900.00 and Hanson Aggregates for the blacktop work at a cost of \$30,780.00. Motion unanimously carried.

Ben informed the Board that the DEC came in and did a "surprise" inspection. There is an old used oil tank that must be removed. Ben will have the material tested and the oil tank taken down. He is asking the Board to authorize him to approve the lowest bid so the work can be done ASAP.

MOTION

Motion made by John Correll, seconded by Joe Schwing to authorize Ben to get bids and have the oil tank removed. Motion unanimously approved.

The Town of Lima gave the Board two (2) bids to replace the copier: 1) A Xerox WorkCentre 7225PT with a 60 month lease costing \$173.61/month. 2) A Konica Bizhub C224e with a 60 month lease for \$197.06/ month. The Town recommends the low bid of the Xerox WorkCentre costing \$173.61/ month. This will result in a \$5.00/month increase to both the Town and Village.

MOTION

Motion made by John Correll, seconded by Jean Lacey to approve the Town's recommendation for the new copier of the Xerox WorkCentre 7225PT. Motion unanimously carried.

7:10 pm OPEN PUBLIC INFORMATION MEETING TO DETERMINE THE LEVEL OF PUBLIC INTEREST IN PERMITTING AND REGULATING THE RAISING OF CHICKENS WITHIN THE VILLAGE OF LIMA.

Mayor Luft set the guidelines for the meeting; comments are to be directed to the Board; keep comments to three (3) minutes and state your name and address.

KEVIN SIMMONS: Mr. Simmons is in favor of chickens. He feels they are quieter than dogs and he would like to have fresh eggs.  
7446 East Main St.

DICK GAREY: Mr. Garey is against having chickens in the Village. He feels that neighbors are too close to each other and is concerned that property values will be affected.  
West Main St.

EILEEN OKLEVITCH: Mrs. Oklevitch is in favor of chickens. She feels residents should have the choice.  
7261 Kober Dr.

ANDREA WAGER: Ms. Wager is in favor of allowing chickens in the Village.  
Evergreen St.

ROBIN HARGRAVE: Mrs. Hargrave is in favor of chickens. She has done research and has a current ordinance from the City of Rochester and a noise chart.  
7179 West Main St.

LINDA MARION: Mrs. Marion is in favor and sees the benefit of having chickens. She commented that the City of Rochester and the Village of Honeoye Falls both allow the raising of chickens.  
7179 Rochester St.

WAYNE MARION: Mr. Marion stated that he drives through Honeoye Falls and sees chickens. They do not seem to be a problem. He feels families should have the ability to have fresh organic eggs.  
1813 Rochester St.

CHRISSEY EVANS: Mrs. Evans is in favor of chickens. She stated they needed to be in coops and did not want "chicken shanty's."  
7272 Maplewood Ave.

LILLIAN DEFRANCO: Ms. DeFranco is against having chickens in the Village. She feels people live in close proximity to each other, is concerned with the smell, noise etc. She is concerned about consequences down the road with the possibility of residents wanting other livestock and the need for enforcement of the regulations.  
7130 College St.

CATHY DAVIS: Mrs. Davis would love to have chickens. She feels it is a great benefit and is also in favor of fewer regulations.  
7386 East Main St.

CINDY DEPUY: Ms. DePuy is in favor of chickens within the guidelines.  
7283 Seneca St.

JOANN ARMES: Mrs. Armes is in favor of chickens and would like the children to experience it. They have lived in Europe where everyone lived in close quarters and all had chickens and gardens.  
7353 East Main St.

VIRGINIA MAZZARELLA: Ms. Mazzarella is in favor of chickens within responsible guidelines.  
7171 West Main St.

MIKE OKLEVITCH: Mr. Oklevitch is not for or against chickens but would like to hear from the Board. He feels it is reasonable to allow chickens with guidelines.  
7261 Kober Dr.

DAN DAVIS: Mr. Davis is in favor of chickens. He feels dogs make more noise than chickens would.  
7386 East Main St.

DAVID CABRERA: Mr. Cabrera is for chickens. He feels it is no different than having a dog. He mentioned the issue of stray cats in the village.  
1748 Rochester St.

BRANDON ARMES: Mr. Armes stated that it seems the majority of people here are in favor of chickens. He has worked with Charlie Johnson and has drafted a plan which addresses many of the concerns. He stated that the Building Inspector would address any violations regarding chickens and he thanked everyone for coming out.  
7353 East Main St.

7:25 pm CLOSE PUBLIC INFORMATIONAL MEETING.

It was established that the Board would vote on whether or not to proceed to establish regulations, draft a law, and hold a public hearing.

Trustee Lacey commented that residents have spoken to her in favor of chickens.

Mayor Luft stated that residents have spoken to him against chickens. He is concerned about rain run-off introducing contaminated water into storm sewers or into neighbor's yards. He feels opening the door to chickens is opening a "Pandora's Box" as to other animals in the future. He feels it will create a potential hazard and we must protect all the residents and not favor only a few.

Trustee Correll stated that all the arguments against chickens could be applied to dogs, cats etc. He stated that the information from the Planning Board and the Building Inspector will be consciously considered and that this is a ground swell going across the county.

Attorney Kruk was questioned if he had been contacted regarding chickens and replied that he has had phone calls from residents against chickens.

Trustee Warsaw agreed that there would be regulations and the law would be for a pilot period, which can then be extended.

Mayor Luft called for a vote on whether to proceed on allowing chickens in the Village.

Trustee Schwing – yea, Trustee Warsaw, - yea, Trustee Correll – yea, Deputy Mayor Lacey – yea, Mayor Luft – nay.

The Board will proceed to develop a law regulating the raising of chickens in the village. Board will get information from the Building Inspector and review it at the next meeting.

7:25 pm Mayor called for a five (5) minute recess.

Charlie informed the Board that he received a call from a resident asking if her children could sell Glo Sticks at the Fourth of July Fireworks as a fund raiser for a not for profit organization assisting women whose spouses are serving overseas. Attorney Kruk replied that private sales are not allowed at events organized by the Town or Village.

The owner of Treasure House Designs asked Charlie if "flea markets" could be set up on Tuesdays when the Farmer's Market is operating. He felt this would get more people downtown and was looking for the setup to be on the sidewalk from the American Hotel down to Attorney Kruk's office. Trustee Warsaw stated that it would be fine for Lima Business owners to put out items but that outside businesses should not be able to profit, as they do not pay taxes, etc. Participating in the Crossroads Festival or becoming a vender at the Farmer's Market would be allowed after paying the necessary fees, etc.

Board is not in favor of allowing outside businesses to operate on the sidewalk but any could check with Bev Gillette about becoming a vender at the Farmer's Market.

Joint Town/Village meeting will be held on Sept. 27, 2014.

Trustee Correll informed the Board that his car had been broken into and some items stolen. Discussion was held.

A public hearing will be held on July 8, 2014 to consider adopting Local Law # 2 of 2014 to regulate the use of signs and billboards within the Village.

Attorney Kruk has the renewal of the Time Warner Franchise. The Village receives 5% of the franchise fees. If Time Warner is sold then the successor follows the same agreement. This will be discussed at the next meeting.

7:58 pm MOTION TO ADJOURN