

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 August 2015 at 7 P.M. Notice was printed in the Mendon-Honeoye Falls-Lima Sentinel.

PRESENT: Supervisor, Pete Yendell
 Councilperson, Cathy Gardner
 Councilperson, Bruce Mayer
 Councilperson, Dan Marcellus
 Councilperson, Bill Carey
 Town Clerk, Jennifer Shanks
 Highway Superintendent, Keith Arner
 Town Attorney, Steve Kruk

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

Audit of Claims

Resolved that the bills contained on Abstract #8 have been reviewed and signed by the Town Board and are authorized for payment in the following amounts:

General Funds:	No. 220 through 254	\$ 17,564.78
Water Funds 1, 2, &3:	No. 29 through 33	\$ 1,935.13
Highway Funds:	No. 137 through 155	\$ 103,644.27

On a motion by Councilperson Gardner approving the above vouchers, seconded by Councilperson Mayer the vote went as follows:

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

July 3rd Town Board Minutes

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

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

Guest(s): Jerry Kleehammer

Jerry Kleehammer thanked Highway Superintendent Arner for establishing a fuel station at the highway barns to fuel Lima Fire Department vehicles.

Reports

Supervisor Yendell confirmed board members received the Supervisor's report for their review. A motion made by Councilperson Mayer to accept the Supervisor's Reports, seconded by Councilperson Gardner, the vote went as follows:

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

Transfers

Supervisor Yendell requested three (3) transfers be made by board approval. They are as follows:

1. \$59,159 to be transferred from the Reserve account to the Town Hall Contractual account A1620.4 to cover the cost of a new Town Hall roof.
2. \$14,800 to be transferred from the Reserve account to the Town Hall Contractual account A1620.14 to cover the cost of a new Court roof.
3. \$22,922.73 to be transferred from the Fund Balance account to the Parks Reserve Account A7710.4A. These monies are left from the \$115,000 bond and it was agreed that the unused funds would be spend on capital projects at the park when we secured the bond.

Upon motion by Councilperson Gardner to accept the transfers, seconded by Councilperson Mayer, the vote went as follows:

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

Transfers requested by Accountants Baldwin Business Services

The following transfers were approved by Councilperson Gardner and seconded by Councilperson Mayer, with the exception of the requested Highway Fund-Outside Village transfer as the \$112.00 fee for drug testing was placed in the wrong account.

Approved Transfers

Transfer from:	A1081	Other Payments in Lieu of Taxes	\$3775.00
	A3040	Assessments-Main Aid	\$3,835.00
	A3089	Justice Grant	\$ 611.00
Transfer to:	A1110.4a	Justice Grant	\$ 611.00
	A1355.1b	Assessment Review	\$ 25.00
	A1355.4	Assessor Contractual	\$ 481.00
	A1620.4	Town Hall Contractual	\$6,979.00
	A6989.4	Community Eco & Dev Contr.	\$ 125.00

Joint Meeting September 3rd with the Village Board

The Town and Village Boards will hold a joint meeting at the regularly scheduled Town Board meeting date. The meeting will begin at 6pm and the public is encouraged to attend. This annual joint meeting is to discuss any topics of mutual interest, such as the Mark Tubbs Mark maintenance and any other business.

CEN Properties, LLC v. Town of Lima

Town Attorney Kruk informed the board that he is waiting for an agreement that was established with the Honeoye Falls-Lima School District. An update will follow at the September board meeting.

Town Attorney Kruk also mentioned he is receiving increasing pressure from the litigator to settle on tax litigation with Lehigh Hanson. He said Lehigh plans to file another year's grievance. Kruk will speak to Assessor, Morgan with intentions not to settle as they are basing their settlement on assessments at their Avon plant.

New York State Department of Taxation & Finance

Supervisor Yendell read the equalization rate of 100% for the Town of Lima from a letter received from Brian F. Moon, Real Property Analyst 2, of the NYS Department of Taxation & Finance.

General Code

After discussion to determine who is responsible, when local laws are submitted, to make certain same is distributed where applicable in the Codes entirety. It was agreed to forward the General Code Agreement to Board members for their review and if not in the agreement, have same updated so that General Code handles that part of the update as well. Further discussion will be held at the next regularly scheduled board meeting.

Replacing Mobile Homes on the Same Lot

Supervisor Yendell will look into new State requirements and give an update at the September meeting.

Water Main Break on Slocum Road

After a call from a business owner asking that the Town notify business owners of any water main breaks in their area, after a water main break occurred on Slocum Road, it was agreed to put a note in the water bills to business owners asking for an emergency contact number and email. This list will be provided to Superintendent Arner who will contact business owners should this happen again. Arner did mention that it is difficult to give business owners a time that water will be turned back on, as all utilities must visit the site and flag any lines that are in the area before any digging can occur. The Town will do it's best to keep businesses informed.

A Request Waiver of 30 Day Notice Period

Supervisor Yendell informed the board that Clerk, Jennifer Shanks received a request waiver of 30 day notice period from Jim Bingham, Liquor License Specialist. Mr. Bingham is representing Jack Quinn's Incorporated, a potential new business at 6659 West Main Street, Lima, (where the Jack and Jill's restaurant is). Upon motion by Councilperson Gardner to approve said request, seconded by Councilperson Mayer, the vote went as follows:

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

Upon Motion by Councilperson Mayer to adjourn at 8:25 P.M., seconded by Councilperson Marcellus, the vote was unanimous.

Respectfully Submitted by:

Jennifer Shanks, CMC/RMC
Town Clerk