

## 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 10th day of July 2014 at 7 P.M. Notice was printed in the The Mendon-Honeoye Falls-Lima Sentinel.

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

ABSENT: Highway Superintendent, Keith Arner

Guest(s):

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 #7 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Funds:	No. 201 through 232	\$ 34,037.41
Water Funds 1, 2 & 3:	No. 22 through 27	\$ 2,704.42
Highway Funds:	No. 130 through 148	\$ 88,009.21

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

### **June 5, 2014 Meeting Minutes**

The minutes of the June 5th meeting were approved as presented 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):**

**Request from Resident to Rezone Property**

Discussion was held after receipt of a letter received from Isadora Marion and Nathan Pickett of York Street. Ms. Marion requested that their adjacent York Street and Bromley Road properties both be zoned agriculture. Currently their residence on York Street is zoned residential and the adjacent lot on Bromley Road is zoned partial residential and partial agriculture. They would like to meet the definition of a hobby farm. Town Attorney Kruk will research to determine if there is a restrictive covenant in this location, if not, said request will be referred to the Planning Board.

**Reports**

Supervisor Yendell asked the board to approve the Supervisor's report. Upon motion by Councilperson Carey to accept the Supervisor's report as presented, seconded by Councilperson Mayer, the vote went as follows:

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

**Lift Replacement at Town Hall**

The vertical lift (elevator) has been replaced and now available for use.

**Chimney Restoration on Town Hall**

Highland Masonry & Restoration, Inc., restored the chimney at Town Hall and Supervisor Yendell said they did a nice job.

**Roof Restoration**

Two (2) quotes have been received to date for roof restoration at the Town Hall. Kurt Catalano of CSTM (Copper, Slate, Tile, Metal) had a quote of \$29,500 and Upstate had a quote of \$29,911. Clark Patterson Lee, Engineers are waiting for 2 additional quotes.

**Summer Recreation Committee**

The board agreed to discuss this matter at a joint Town and Village meeting to be held September 27<sup>th</sup> at 9 AM.

### **Fiber Optic on Corby Road**

Supervisor Yendell and Town Attorney Kruk drove to Corby Road where they found Finger Lakes Technology Group digging to install conduit. Town Attorney Kruk asked why they were digging without permission for the Town Board and they said they received an okay from the Building Inspector and Highway Superintendent. Town Attorney Kruk subsequently made contact with the project supervisor and asked them to complete an easement and put that into County records at their expense and they did agree. Town Attorney Kruk will prepare the document.

Councilperson Gardner recommended that the Board authorize a letter to Charlie Johnson directing him to check with Town Attorney Kruk for preliminary guidance on any and all questions that arise for which answers are not clearly spelled out in existing Town regulations, in order to ensure that any matters that should be referred to the Town Board for policy review are so referred in advance of a response. The Board agreed and Councilperson Gardner agreed to prepare the letter.

### **City of Rochester Water Rate Increase**

The City of Rochester mailed a letter to Supervisor Yendell informing him that wholesale water rates are increasing by .5 cents from \$1.50 to \$1.55 and will take effect July 1, 2014. The Town Board agreed to raise rates .5 cents for Districts #1 and District #2. Upon motion by Councilperson Gardner to increase Town rates, seconded by Councilperson Carey the vote went as follows:

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

### **Waiver from J & J Pub - Currently known as Jack & Jill's**

The Town of Lima received a letter from Jeb Dainard requesting a Waiver of 30 Day Notice Period for a liquor license application. Upon motion by Councilman Mayer to approve the request, seconded by Councilperson Marcellus the vote went as follows:

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

### **Insulation at the Court House**

Supervisor Yendell received two (2) quotes to install installation at the Court House. Energy Max Insulation has a quote of \$5,586 and Monroe Insulation &

Gutter Building Systems has a quote of \$13,780. Upon motion by Councilperson Mayer to hire Energy Max Insulation to complete the job, as the Town did not receive other reasonable inquiries for a legit company, seconded by Councilperson Carey the vote went as follows:

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

### **Eagle Scout Project**

Supervisor Yendell, Councilperson Gardner and Carey mentioned how beautiful the cemetery looks after Eagle Scout Marcus Spezzano completed a clean-up project for said cemetery. He was able to secure all the funding necessary so the Town will not have to contribute.

### **Request the State to clean-up Leaked Paint**

Councilperson Gardner made a motion to authorize Attorney Kruk to write a letter requesting the State Department of Transportation clean-up unsightly paint that is down the middle of the road through Lima, seconded by Councilperson Mayer, the vote was as follows:

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

### **Speed Reduction Request by Ambulance Facility**

Councilperson Mayer said the Resolution and Petition with signatures have been mailed to the New York State Department of Transportation. Updates will be given as information becomes available.

### **Copier Contract**

Town Clerk, Jennifer Shanks, requested board approval for a new Xerox copier that would include colored copies for all Town Offices to share. She mentioned the monthly fees will increase by \$10, of which increase will be shared 50% by the Village office. Supervisor Yendell mentioned the Assessor's Clerk will use the remaining ink in their copier and will then replace copies made in their office by using the new copier. Overall the new Agreement will be a savings to the Town of Lima. Upon motion by Councilman Carey to accept the new purchase agreement for the Xerox copier, seconded by Councilperson Mayer, the vote went as follows:

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

**Street Light at Entrance of GCC**

Supervisor Yendell informed the board that a light will be installed at the entrance of Genesee Community College on Rochester Road. The cost for this light will be paid by the property owner.

**Board Member Updates**

Councilperson Marcellus informed the Board that the new computers have arrived and that the Town Clerk's computer will be installed next week.

Councilman Mayer mentioned the Library book sale made \$300.

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

Respectfully Submitted by:

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Jennifer A. Shanks, CMC/RMC  
Town Clerk