

## 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 5th day of June 2018 at 6:00 P.M. Notice was printed in the Mendon-Honeoye Falls-Lima Sentinel.

PRESENT: Supervisor, Michael Falk  
Councilperson, Cathy Gardner  
Councilperson, Bruce Mayer  
Councilperson, Bill Carey  
Town Clerk, Jennifer Heim, CMC/RMC  
Town Attorney, James Campbell  
Excused Highway Superintendent, Keith Arner  
Deputy Supervisor, Dan Marcellus

Supervisor Falk called the meeting to order at 6:00 P.M.  
The Pledge of allegiance was led by Veteran Norman Caccamise.

### **Reports -Motion to Accept Supervisor's Report -Review Ambulance & Building Inspector Reports (if received)**

Supervisor Falk mentioned receipt of said reports. On a motion by Councilperson Gardner to accept the Supervisor's report, seconded by Councilperson Mayer the vote went as follows:

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

### **Audit of Claims**

Resolved that the bills contained on Abstract #6 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Funds:	No. 169 through 204	\$ 21,385.54
Water Funds 1, 2, &3:	No. 15 through 18	\$ 5,007.77
Highway Funds:	No. 86 through 104	\$ 67,205.48

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

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

### **May 1, 2018 Town Board Minutes**

Minutes from the May 1st meeting were approved by motion from Councilperson Marcellus, seconded by Councilperson Mayer, the vote went as follows:

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

**Guest(s):** Nick Coglitore (arrived at 6:50 PM)

### **GCC Walkway**

Supervisor Falk has to revisit 2 homes for easement signatures. He indicated he will make a visit after 6pm to obtain a response from one home located by Shawndra and needs to visit the 2<sup>nd</sup> home after Raxon is repaired at both ends. He will forward the CPL information to the board. Supervisor Falk stated, if either easement is retained some sidewalk can be placed this year. Further updates will follow.

### **Post Office**

Supervisor Falk informed the board the Save-A-Lot building has been sold and a roofing contractor has been hired and is prepared to get the roof repaired soon which will help the post office from leaks. He also stated the buyer of the building is negotiating with Fingerlakes Instruments and Fanatics Pub to get the entire parking lot done at once. Updates to follow.

### **Personnel Policy - Update**

Councilperson Gardner had Clerk Heim email a copy of Pittsford's Employee Handbook for board review and comment. This is in an effort to update the Town of Lima's Employee Handbook. Updates to follow.

### **Electronic Communications**

Councilperson Marcellus excused. This item will be tabled to the July 3rd meeting.

## **Dog Control**

The Town Board reviewed a draft local law for dog control prepared by Attorney Jim Campbell. Discussion was held. Changes will be made and further discussion will be held at the July 3<sup>rd</sup> meeting. Said proposed local law will be sent to the Village Board for review. A copy of the Village dog control code will be reviewed by the Town Board.

## **Water Hook-Up on Dalton Road**

The board discussed that land owner and resident Tony Tondryk requested water hook-up at his property on Dalton Road. The agreement for this request was never finalized years back. The board agreed that he would need to be a Village out-of-district user and if the town forms another water district Tondryk would become a town user.

Nick Coglitore, developer of a housing tract on Dalton Road, also requested water and said that it was agreed on years ago but a fall out in in the process eliminated said water hook-up. Coglitore would like to complete this job but cannot without approval of water hook-up. After a lengthy discussion, the board agreed to avoid delay with Nick's progress, and on motion by Councilperson Gardner to allow Mike to sign the agreement allowing Nick to hook up to Village water, provided the Village approves this connection at their meeting, seconded by Councilperson Mayer the vote went as follows:

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

## Further Discussion and History of Water on Dalton & Possibility of Forming another Water District:

It was mentioned by Gardner that the previous subdivision was approved 20 years ago, and water was not part of the site plan as someone may have assumed. It was also mentioned by Gardner that Mr. Salerno knew he needed to submit an entire new site plan. She also told Nick it is not the responsibility of other tax payers to pay for the nominal cost of doing the proper thing and creating a new water district to service Mr. Coglitore's new housing tract that would take months to complete.

Falk mentioned that in the event the Towns does form another water district at some point, the residents getting water in that new subdivision will end up

joining the Town's water district. Nick asked why they would need to join the Town's district when they already have water through the Village and Falk explained that they are not in a district with the Village but an out of district user because it is Town property and a water district has not yet been formed in that area but to avoid delay and get him water quickly, as creating a water district can take some time, 6-8 months easily per Attorney Campbell, he would need to be an out-of-district user with the Village.

Gardner mentioned that the NYS requires benefited users pay the cost of a utility extension to their house. The cost cannot be paid by taxpayers who are not benefiting. She also requested that any legal costs the Town acquires for setting this district up and any associated filing fees be paid by the new water service recipient as a condition of the new water service connection.

Upon motion by Councilperson Gardner referring Nick to the Village Board for their approval, as said out-of-district user hook up, at their next Tuesdays meeting, seconded by Councilperson Mayer, the vote went as follows:

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

The board also discussed if the water main is dedicated to the Town a reserve account will need to be established for maintenance and a new water district will need to be formed.

A motion by Councilperson Mayer to have Attorney Campbell call Eric Weiss from CPL for engineering fees to meet design criteria and start water district 4, seconded by Councilperson Carey, the vote went as follows:

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

Attorney Campbell will speak to the Village attorney Steve Kruk and find out what the intent of the pipe is and find out any additional information the Town Board may need to know about this development.

### **CEO/Building Inspector Intermunicipal Agreement with West Bloomfield**

Supervisor Falk mentioned Charlie Floeser is covering any inspections at this time, since Charlie Johnson's passing. West Bloomfield is allotting 100 hours

to the Town and will compensate after those hours are utilized, as the Town of Lima has done the same for West Bloomfield. Current rate for Mr. Floeser in West Bloomfield is \$26.00 per hour, part-time.

### **Shared Services with Honeoye Falls for CEO/Building Inspector**

The Village of Honeoye Falls sent a letter indicating the termination of the shared services agreement.

Falk also mentioned that the Village of Lima is in agreement to pay for 8 hours of service only, which the Town did not agree to as the work completed for inspections, etc., are pretty close to 50/50 for Town and Village.

The Building Inspector/ CEO position will be advertised. Falk indicated he has 2 candidates that want a full-time job and 3 people who would take part-time work to fill in temporarily. Each interested in full time are certified to be a Code Enforcement Officer. It was asked if this position is a civil service position. Attorney Campbell indicated it is a civil service position but that particular exam has not been offered in years. However, training is provided for CEO's yearly, making them certified without taking the exam component. It was also discussed that if the Town hires a full time CEO we would share with the Village and neighboring Towns if they need back up.

The CEO will also complete the Fire Marshall aspect of the job which includes fire inspections in all places of public assembly, businesses, any private school and any apartment building that is 3 units or more.

Falk will speak to Mayor Luft to determine their interest in sharing a full-time CEO. Clerk Heim and Supervisor Falk will create a legal notice to post said position, after discussion with the Village.

### **Livingston County Development Corporation Renewal**

Supervisor Falk requested approval to sign the renewal of Town of Lima/Livingston County Development Corporation. This Downtown Partnership plans to study the results and recommend specific plans to assist with our core commercial district. Upon motion by Councilperson Mayer allowing Falk to sign agreement, seconded by Councilperson Gardner, the vote went as follows:

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

**Water Supply Agreement – Town of Lima District #2, Village of Lima & City of Rochester**

Supervisor Falk requested approval to sign the water supply agreement. Upon motion by Councilperson Mayer to sign said agreement, seconded by Councilperson Carey the vote went as follows:

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

**RESOLUTION #5-2018 Adopt Standard Work Day and Reporting Resolution for Elected and Appointed Officials**

Title	Name	Social Security Number Last 4 digits	Registration Number	Standard Work Day (Hrs/day)	Term Begins /Ends	Days/Month (based on Record of Activities)	Tier 1 (Check only if member is Tier 1)	Not Submitted (Check box if no record of activities completed or timekeeping system)
<b>Elected Officials</b>								
Justice	Elvira Luhowy	6698	3889864-9	6	01/01/2018-12/31/2021	NA		

On motion by Councilperson Gardner, seconded by Councilperson Mayer, the following resolution was

ADOPTED AYES 4 Falk, Mayer, Gardner, Carey  
 NAYS 0

RESOLVE to adopt the following Standard Work Day and Reporting Resolution

I, Jennifer Heim, Clerk of the governing board of the Town of Lima, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 5th day of June 2018 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original. IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Lima on this 5th day of June 2018.

Signature of Clerk: \_\_\_\_\_

Affidavit of Posting: I, Jennifer Heim, being duly sworn, deposes and says that the posting of the Resolution began on June 6, 2018 and continued for at least 30 days. That the Resolution was available to the public on the Town of Lima website- [www.lima-ny.org](http://www.lima-ny.org) and community board at Lima Town Hall.

### **Standardize the 3<sup>rd</sup> Tuesday for Joint Town & Village Meetings**

Supervisor Falk asked for approval to standardize the joint Town & Village Meetings to the 3<sup>rd</sup> Tuesday to simplify things. Upon motion by Councilperson Gardner to standardize joint meetings to the 3<sup>rd</sup> Tuesday, whatever month the joint meeting may be held, seconded by Councilperson Mayer, the vote went as follows:

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

### **Amended SEQR for Village Water-Main Project**

Supervisor Falk received a packet indicating the Village will be lead agency. Upon motion by Councilperson Gardner accepting the Village's position to be lead agent in said project, seconded by Councilperson Mayer, the vote went as follows:

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

### **Letter of Support for the Village**

Supervisor Falk stated the Village asked for a letter of support for their water project grant application. Upon motion by Councilperson Mayer to write a letter of support, seconded by Councilperson Carey, the vote went as follows:  
(letter of support below)

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

Mayor Carl Luft  
PO Box 20A  
Lima, NY 14485

Subject: Support of the Watermain Improvement Project

Dear Mayor Luft,

This letter is to convey the Town of Lima's support for the Watermain Improvement Project. Replacement of the aged distribution mains is a wise choice to carry the infrastructure into the future. The addition of pressure backup from Avon is also a positive step forward that will allow repairs to Lima's water tower without building a 2nd backup tower and paves the way for wider access to water in the Township. The entire project will benefit not only Village residents but Town residents too. Thank you for undertaking this effort.

Sincerely,

Michael J. Falk  
Lima Town Supervisor

### **Summer Youth Agreement**

Supervisor Falk requested approval to sign an Agreement with Livingston County to allow a summer intern to work around the Town Hall for a few weeks in the summer, with the County paying said intern. Upon motion by Councilperson Gardner to sign the agreement, second by Councilperson Mayer, the vote went as follows:

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

### **Intermunicipal Grant Writing Agreement**

Supervisor Falk received an Intermunicipal Grant Writing Agreement from Livingston County for support and signature. The County employs a full time Grants & Public Information Coordinator that assists the Town of Lima with grant applications. Upon approval by Councilperson Carey to allow Falk to sign said Agreement in support of continuing the presently employed grant writer, seconded by Councilperson Mayer, the vote went as follows:

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

### **City of Rochester Water Rates Increased**

Supervisor Falk received a letter from the City of Rochester indicating that water rates have increased. Councilperson Gardner mentioned the Town did not raise rates for some time and was concerned about infrastructure. Therefore, during an internal audit she asked Mr. Wager if the Town was accruing enough to adequately cover any replacements needed in the water infrastructure and Mr. Wager's response was "probably not". Supervisor Falk said he will be meeting with the water district employees, Keith & Jennifer in the next month or so to build a model of costs going into the production of the water (including vehicles, workers compensation, etc.), so that, from a business point-of-view Falk can understand all costs. We will then look at the depreciation of pipes, plumbing, etc. Supervisor Falk believes we need to raise our rates, as our rates have increased. The Town of Lima will be taking a hard look to going electronically for meter reads, in place of paper and pencil, to avoid any errors. Updates to follow.

Falk also mentioned copper pipe was ruined by lime rock on Bromley.

Attorney Campbell suggested if the Town is looking for replacing meters to talk to Livingston County Water & Sewer as they work with municipalities to buy items together and get a volume discount.

Upon Motion by Councilperson Mayer to adjourn at 9:00 P.M., seconded by Councilperson Carey, the vote was unanimous

Respectfully Submitted by:

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Jennifer Heim, CMC/RMC