

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 4th day of August 2020 at 6:00 P.M. Notice was printed in the Mendon-Honeoye Falls-Lima Sentinel.

PRESENT: Supervisor, Michael Falk
Councilperson, Leta Button
Councilperson, Bruce Mayer
Councilperson, Bill Carey
Highway Superintendent, Keith Arner
Town Clerk, Jennifer Heim
Town Attorney, James Campbell

EXCUSED: Councilperson, Jon Belec

Call the Meeting to Order

Supervisor Falk called the meeting to order at 6:00 P.M. followed by the Pledge of Allegiance.

Supervisor's Report

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

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

July 7th Minutes

Minutes were approved upon motion by Councilperson Mayer, seconded by Councilperson Carey, the vote went as follows:

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

Audit of Claims/Abstracts

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

General Funds: No. 228 through 258 \$ 36,367.07

Water Funds 1, 2, &3: No. 33 through 34 \$ 3,753.28
Highway Funds: No. 103 through 116 \$ 90,004.24

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

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

Guest(s) Daniel Marcellus, Skyport IT for the Town of Lima. Mr. Marcellus distributed a handout showing costs for services for 2021 relating to security services, general support, disaster recovery services, WiFi infrastructure upgrade, network wiring infrastructure for Town Hall and Garage and IT security audit. Services and labor will be approximately \$37,029.20 for 2021 fiscal year.

Building Inspector/Code Enforcement Officer Report

Charlie Floeser discussed his report.

Town Water Report

Highway Superintendent Arner explained the water report.

Town Hall Renovations

Supervisor Falk informed the board of the bids received and opened on July 31st for the elevator system. The bid results for the construction contract are as follows:

<u>Company</u>	<u>Bid Amount</u>
JEC Construction	\$265,874
Kuehne Construction	\$195,450
BLM	\$239,700
Nichols Construction	\$229,900

Clark Patterson Lee reviewed the overall bid results and conducted a phone interview with Kuehne Construction CPL recommended the construction contract be awarded to Kuehne Construction for the LULA elevator.

Upon motion by Councilperson Carey to accept Kuehne Construction, seconded by Councilperson Button, the vote went as follows:

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

Sidewalk Progress

Superintendent Arner has about 125 feet to complete before reaching the church. Arner hopes to have the sidewalk completed next week.

CEO Agreement

Supervisor Falk mentioned said Agreement will be discussed at the August 18th joint Town and Village meeting.

Pergola Damage at the Library

Supervisor Falk mentioned the pergola at the Library partially collapsed. Councilperson Mayer has not heard anything from the library board. Councilperson Mayer will reach out to the Library board again. It was discussed to take down the structure.

Proclamation Policy

It was requested by a family member to create a day for a deceased family member. After discussion Supervisor Falk will come up with a policy to acknowledge a family member by publishing on the website, in the minutes and a press release, once a month at a Town Board meeting - at a family member's request.

Water District #4 Formation

Resolution #4 of 2020

Town Attorney Campbell distributed resolution #4 of 2020 for the board to consider and accept. Resolution #4 states the Town must engage the services of a professional engineer to prepare a Map, Plan and Report to provide the details of the improvements and the costs of such improvements to take place within the newly created district. By motion from Councilperson Mayer to approve said Resolution, seconded by Councilperson Carey, the vote was as follows:

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

In the Matter of the Formation of the Town of Lima
Water District No. 4
Located Therein, Within the Town of Lima,
Livingston County, New York.

RESOLUTION #4 of 2020

WHEREAS, the Town Board of the Town of Lima has been asked to form a water district for an eight (8) lot new residential construction subdivision (known as the “Salerno Subdivision Tupelo Trail”) and to take dedication of certain water delivery improvements within a new water district yet to be perfected that encompasses such subdivision and which said new water district is to be known as the “Town of Lima Water District No. 4;” and

WHEREAS, the improvements are to be located along a portion of Tupelo Trail (a public right-of-way to be dedicated to the Town of Lima, located within the Town of Lima, County of Livingston and State of New York; and

WHEREAS, in order to take dedication of the water delivery improvements, a district formation must be perfected to create the “Town of Lima Water District No. 4;” and

WHEREAS, in order to facilitate the creation of the “Town of Lima Water District No. 4” and the dedication of the infrastructure improvements therein, the Town must engage the services of a professional engineer to prepare a Map, Plan and Report to provide the details of the improvements and the costs of such improvements to take place within the newly created district; and

WHEREAS, the cost of such Map, Plan and Report is intended to be borne by the developer of Salerno Subdivision Tupelo Trail, in which such improvements will be or have been made; and

WHEREAS, the Town of Lima, on behalf of the “Town of Lima Water District No. 4” (which is yet to be perfected), has previously engaged the services of Clark Patterson Lee to prepare a Map, Plan and Report with respect to such district formation;

NOW THEREFORE, be it

ORDERED by the Town Board of the Town of Lima as follows:

1. That the Town Board has previously authorized the Town Supervisor to engage the engineering firm of Clark Patterson Lee to prepare a Map, Plan and Report for the “Town of Lima Water District No. 4” project at a cost not to exceed \$750.00; and
2. Any such costs shall be paid for by the developer of the Salerno Subdivision Tupelo Trail, which shall be entirely encompassed by the “Town of Lima Water District No. 4;” and

The question of the adoption of the foregoing Resolution was duly submitted for approval by vote of the Lima Town Board on Tuesday, August 4, 2020, recorded as follows:

Vote of the Board:	Councilperson Bruce Mayer	Aye
	Councilperson Bill Carey	Aye

Councilperson Leta Button **Aye**
Councilperson Jon Belec **Excused**
Supervisor Michael J. Falk **Aye**

This is to certify that I, the undersigned, Clerk of the Board of the Town of Lima, Livingston County, New York, was duly adopted by the Town Board of said Town on the date above, and that the same is a true and correct transcript of said resolution.

In witness where of I have hereunto set my hand and the official seal of the Town Clerk this 4th day of August, 2020.

Jennifer Heim - Town Clerk, CMC/RMC

**Water District #4 Formation
Resolutions #5 of 2020**

Resolution #5 is for the Town Board to accept the produced Map, Plan and Report created by Clark Patterson Lee. By motion from Councilperson Mayer to approve said Resolution, seconded by Councilperson Carey, the vote was as follows:

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

In the Matter of the Formation of the Town of Lima Water District No. 4 and Dedication of Water Facilities and Improvements Located Therein, Within the Town of Lima, Livingston County, New York.

RESOLUTION #5 of 2020

WHEREAS, the Town Board of the Town of Lima is considering the accepting dedication of certain water delivery improvements within a new water district yet to be perfected and to be known as the “Town of Lima Water District No. 4;” and

WHEREAS, the improvements are to be located along a portion of Tupelo Trail, a public right-of-way (yet to be dedicated) within the Salerno Subdivision Tupelo Trail, in the Town of Lima, County of Livingston and State of New York; and

WHEREAS, as part of the acceptance of dedication of the water delivery improvements located within and serving the Salerno Subdivision Tupelo Trail, a district formation must be perfected to create the “Town of Lima Water District No. 4;” and

WHEREAS, in order to facilitate the creation of the “Town of Lima Water District No. 4” and dedication to the Town of the infrastructure improvements therein, the Town Board adopted a resolution authorizing the engagement of Clark Patterson Lee to prepare a Map, Plan and Report to provide the details of the water delivery improvements and the costs of such improvements to take place within the newly created district; and

WHEREAS, the cost of such Map, Plan and Report shall be borne by the developer of the Salerno Subdivision Tupelo Trail, which is entirely encompassed by the district to be formed and in which such water delivery improvements have been made; and

WHEREAS, Clark Patterson Lee has prepared such Map, Plan and Report with respect to the establishment of the “Town of Lima Water District No. 4” and all improvements intended to be made therein and presented the same to the Lima Town Board; and

WHEREAS, the Lima Town Board now wishes to accept such Map, Plan and Report so that it may schedule a Public Hearing regarding the potential creation of the “Town of Lima Water District No. 4”;

NOW THEREFORE, be it

ORDERED by the Town Board of the Town of Lima as follows:

1. That the Town Board of the Town of Lima has been presented with the Map, Plan and Report for the “Town of Lima Water District No. 4” as prepared by Clark Patterson and Lee and hereby accepts the same on behalf of the district to be formed; and
2. Any such and all costs associated with such Map, Plan and Report shall be passed on to the developer of the Salerno Subdivision Tupelo Trail, which such developer has agreed to pay and has placed adequate funds in escrow with the Town of Lima for such purpose.

The question of the adoption of the foregoing Resolution was duly submitted for approval by vote of the Lima Town Board on Tuesday, August 4, 2020, recorded as follows:

Vote of the Board:	Councilperson Bruce Mayer	Aye
	Councilperson Bill Carey	Aye
	Councilperson Leta Button	Aye
	Councilperson Jon Belec	Excused
	Supervisor Michael J. Falk	Aye

This is to certify that I, the undersigned, Clerk of the Board of the Town of Lima, Livingston County, New York, was duly adopted by the Town Board of said Town on the date above, and that the same is a true and correct transcript of said resolution.

In witness where of I have hereunto set my hand and the official seal of the Town Clerk this 4th day of August, 2020.

Jennifer Heim - Town Clerk, CMC/RMC

**Water district #4 Formation
Schedule a Public Hearing Resolution**

Attorney Campbell informed the Town Board a public hearing will need to be scheduled. The Town Board will then adopt another resolution forming the district subject to permissive referendum. Campbell mentioned 30 days after the adoption of the resolution forming the district said will be final. After District #4 is formed, the Town will then take dedication of the street and infrastructure. Upon motion by Councilperson Mayer to schedule a public hearing at the September 1st regularly scheduled board meeting, seconded by Councilperson Button, the vote went as follows:

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

Transfers

\$4,716.92 from the GCC Reserve Fund to A1010.1A GCC Account to Pay Invoice from Alleghany Farm Services for Dog Park Drainage Trench. Upon motion by Councilperson Mayer to transfer the funds, seconded by Councilperson Carey, the vote was unanimous.

\$780 from A1355.4 – Assessor Contractual to A1355.1B Assessor Review. Upon motion by Councilperson Carey to transfer the funds, seconded by Councilperson Mayer, the vote was unanimous.

Transfers Listed Below to be Allocated into A1650.4-Central Communication Systems Contractual to Adjust for New Computer IT Equipment

- a. \$500 from A1220.2 – Supervisor Equipment
- b. \$700 from A1220.4 – Supervisor Contractual
- c. \$2,500 from A1410.2 – Clerk Equipment
- d. \$1,825 from A1355.2 – Assessor Equipment
- e. \$2,147.18 from A5132.4 – Garage Contractual

Upon motion by Councilperson Carey to transfer funds, seconded by Councilperson Mayer, the vote was unanimous.

Transfers Listed Below to be Allocated into A1620.4-Buildings Contractual to Cover Façade/Asbestos Removal Costs

- f. \$12,000 from A1460.2 – Records Management Equipment
- g. \$1,000 from A1620.2 – Building Equipment
- h. \$1,000 from A1990.4 – Contingency
- i. \$100 from A7510.4 – Historian Contractual
- j. \$400 from A7520.4A – Historic Preservation Commission
- k. \$1,000 from A8510.4 – Community Beautification Contractual
- l. \$1,500 from A8810.4 – Cemetery Equipment

Upon motion by Councilperson Carey to transfer funds, seconded by Councilperson Mayer, the vote was unanimous.

Sales Tax Transfer \$35,474.88 from B1120 to DB1120 Highway. Upon motion by Councilperson Mayer to transfer the funds, seconded by Councilperson Carey, the vote was unanimous.

Letter of Resignation

Supervisor Falk received a letter of resignation from Highway Superintendent, Keith Arner effective October 30, 2020. Thank you for 39 years of service!

An ad will be placed to hire an acting Highway Superintendent. The new acting highway superintendent and any other interested parties may run for the next 4 year term with the election being November 2021. Upon motion by Councilperson Mayer to advertise the publication, seconded by Councilperson Carey, the vote was unanimous.

Round Table Discussion

Councilperson Button, liaison to the Crossroads Council, mentioned the Lima Parade was a success and she received nothing but positive feedback from residents. There was a suggestion to advertise in the Penny Saver next year to inform country residents.

Move into Executive Session – Relating to a Particular Employee

Upon motion by Councilperson Mayer to move into executive session at 6:57PM, seconded by Councilperson Carey the vote was unanimous.

Move out of Executive Session

Upon motion by Councilperson Mayer to move out of executive session at 7:45PM, seconded by Councilperson Carey, the vote was unanimous.

No Action was Taken.

Motion to adjourn at 7:45 PM by Councilperson Mayer, seconded by Councilperson Button, the vote was unanimous.

Respectfully Submitted by:

Jennifer Heim, CMC/RMC
Town Clerk

All reports mentioned in the Town Board Minutes can be reviewed at the Town Hall.