

## Official Minutes

An official 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 April 2023 at 6:00 P.M. Notice was printed in the Mendon-Honeoye Falls-Lima Sentinel.

**Present:** Supervisor Michael Falk, Councilperson Bill Carey, Councilperson Leta Button, Councilperson Mark Petroski, Councilperson Andy Torpey, Town Attorney Jim Campbell, Town Clerk Jennifer Heim

**Excused:** CEO/Building Inspector Charlie Floeser, Highway Superintendent John Sokolofsky

**Guests:** See attached sign-in sheet

Supervisor Falk called the meeting to order and led in the Pledge of Allegiance.

### **Town Board Meeting Protocols**

Supervisor Falk read Town Board meeting protocols as follows:

“The Town of Lima follows NYS Open Meetings Law procedures. All meetings of the Town Board are duly noticed and open and accessible to the public. The public is there to witness the proceedings only. In the event of a Public Hearing, people may sign in and speak to the board and those assembled regarding the hearing topic for a maximum of 5 minutes once per board meeting. Speaking time belongs only to the speaker and may not be re-assigned to someone else. Privileges of the floor may be granted to anyone who wishes to address the board on any topic at all. In order for the public to be properly noticed the Privileges of the Floor must be applied for and approved by five calendar days prior to the Board meeting date. Privileges of the floor are not to exceed 20 min. Approval authority for privileges of the floor is held by the Supervisor or the Deputy Supervisor if the Supervisor is unavailable”

**Approval of the Agenda**

Supervisor Falk asked for a motion to approve the agenda. Upon motion by Councilperson Petroski to approve the agenda as distributed, seconded by Councilperson Carey, the vote was unanimous.

**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 Petroski, the vote went as follows:

CARRIED           Ayes: 5      Falk, Button, Carey, Petroski, Torpey  
                          Nays: 0

**Supervisors Communication to the Board**

Supervisor Falk said letters received will be discussed throughout the agenda.

**March 7th Minutes**

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

CARRIED           Ayes: 5      Falk, Button, Carey, Petroski, Torpey  
                          Nays: 0

**March 7th Joint Town & Village Minutes**

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

CARRIED           Ayes: 5      Falk, Button, Carey, Petroski, Torpey  
                          Nays: 0

**Audit of Claims/Abstracts**

Resolved that the bills contained on Abstract #4 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Funds:	No. 78 through 107	\$31,794.47
Highway Funds:	No. 32 through 50	\$409,146.50

Upon a motion by Councilperson Button approving said abstracts, seconded by Councilperson Petroski, the vote went as follows:

CARRIED           Ayes: 5      Falk, Button, Carey, Petroski, Torpey  
                          Nays: 0

### **Building Inspector/Code Enforcement Officer Report**

Charlie Floeser distributed his report for board review. No discussion.

### **Highway Department Monthly Report**

Highway Superintendent distributed his report for board review. No discussion.

### **Landfill Testing in Lima**

Supervisor Falk received a letter from the Livingston County Health Department stating: "The NYSDOH CEH Bureau of Environmental Exposure Investigation (BEEI) is coordinating with DEC's Division of Materials Management (DMM) to evaluate the nearly 2,000 inactive landfills in New York State to assess the potential for impacts to drinking water sources from emerging contaminants. DMM is evaluating the area around the **Lima Sanitary Landfill**, located in Lima, **Livingston County**, to identify and sample any potentially impacted wells downgradient of the landfill within a 0.25 mile radius from the site. Please find attached: (1) map that shows the landfill and nearby wells. For this evaluation, DEC has not identified any wells to be sampled in the area of concern. Based on the available information, no public water supply wells have been identified in the area of concern. They are testing for a group of contaminants known as PFAS that have become of concern to public health in recent years. <https://www.epa.gov/pfas/pfas-explained>

The above information is on the Town website.

### **Siemens Energy Services**

Supervisor Falk stated things are moving along and Congresswoman Claudia Tenney has been approached for funding. Updates will follow as they become available.

### **Charter Communications, Inc. Franchise Agreement**

Supervisor Falk stated no update, but the Town did receive franchise fees for last year and are higher than anticipated during the budgeting process.

### **HFL-M-YB Addendum to Agreement**

This Addendum is to extend the Agreement for the period of an additional year, to encompass and include the HFL-M YB season for 2023. Upon motion

by Councilperson Button so accept and execute same, seconded by Councilperson Petroski, the vote went as follows:

CARRIED           Ayes: 5       Falk, Button, Carey, Petroski, Torpey  
                          Nays: 0

### **Town Court Accounting Books Audit Report**

Councilperson Carey and Councilperson Button completed an audit of court books and found same satisfactory. Upon motion by Councilperson Carey to approve Resolution #3 of 2023, seconded by Councilperson Button, the vote went as follows:

CARRIED           Ayes: 5       Falk, Button, Carey, Petroski, Torpey  
                          Nays: 0

### **Resolution #3 of 2023 Town Court Accounting Books Audit Report**

**Auditors:** William Carey and Leta Button

**Process:** The accounting reports for the court books were reviewed for the fiscal year 2022. The details for the fiscal year 2022 are as follows:

**Results:** The books have been duly examined and the fines collected have been turned over to the proper officials of the Town as required by law.

Judge Harold Harris: books were found to be in order and documentation was complete.

Judge Joe Schwing: books were found to be in order and documentation was complete.

Court Clerk: Carol Tichenor record tracking system was found to be in order and documentation was complete.

Date: March 22, 2023

William Carey

Leta Button

### **Access Elevator Inspection Contract**

After discussion the board chose option #1 of the inspection contract with Access Elevator. This option will cover a mechanic to look over the unit and determine what, if any, maintenance or service for the elevator is required.

Upon motion by Councilperson Torpey to accept and execute the contract, seconded by Councilperson Carey, the vote went as follows:

CARRIED                   Ayes: 5 Falk, Button, Carey, Petroski, Torpey  
                                  Nays: 0

### **2023 Downtown Partnership Program**

This is an agreement between the Town of Lima and The Livingston County Development Corporation (LCDC). The term shall commence on June 1, 2023, and terminate on May 31, 2024, with remittance of \$2,500 to LCDC by June 30, 2023.

### **Solar Eclipse April 8, 2024**

Supervisor Falk mentioned the solar eclipse appearing April 8<sup>th</sup> and forewarned the roads may be congested with sightseers. He encouraged everyone to site select on April 8, 2024, to look at illuminating light sources.

### **EWASTE+ Service Estimate for Cleanup Days**

The service estimate for EWASTE+ to provide a trailer and supplies for collection from May 4<sup>th</sup> through May 6<sup>th</sup> is \$850. This cost will be split between Town and Village. Upon motion by Councilperson Button to accept EWASTE services, seconded by Councilperson Carey, the vote was unanimous.

### **Letter of Support – Zornow Farmland Protection Grant**

Supervisor Falk received an email from David Behm, Manager, Farmland Protection Program of NYSDAM asking for a letter of support to endorse the Zornow application for the New York State Farmland Protection Implementation Grants Program. After discussion and upon motion by Councilperson Torpey to send the letter of support, seconded by Councilperson Button, the vote went as follows:

CARRIED                   Ayes: 3       Falk, Button, Torpey  
                                  Nays: 1       Carey  
                                  Abstain: 1   Petroski

### **Budget Transfers**

Upon motion by Councilperson Carey to approve the below budget transfers, seconded by Councilperson Button, the vote was unanimous.

### **HIGHWAY FUND-TOWNWIDE**

*Transfer From:* DA230 Highway Equipment \$ 109,470.00

*Transfer To:* DA5130.2 Equipment Purchase \$ 109,470.00

**HIGHWAY FUND-OUTSIDE VILLAGE**

*Transfer From:* DB230 Equipment Reserve \$ 150,000.00

*Transfer To:* DB5130.2 Machinery Equipment \$ 150,000.00

**School Resource Officer Sharing**

Supervisor Falk mentioned the only public school in Livingston County without a school resource officer is Lima Primary. The Lima Christian school and St. Agnes school do not have resource officers either. Supervisor Falk pitched a cost sharing agreement to HFL and Lima Christian School where the Town would enter a three-way split for the cost of a deputy to be stationed in Lima for the school year. The total cost is approximately \$84,000.00 with each entity budgeting \$30,000.00. After discussion the board would like to see more information on how this integrates into the process and what other measures will be taken for safety and asked if other schools paid for SRO through the school budget. Further discussion will be held at the next meeting.

**Water District #5**

Supervisor Falk stated letters are going out for water testing in the South Lima area and petitions are still circulating for the proposed water district #5.

Motion by Councilperson Carey to adjourn at 6:45PM seconded by Councilperson Button, the vote was unanimous.

Respectfully Submitted by:

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Jennifer Heim, CMC/RMC  
Town Clerk

**All documents mentioned in the Town Board Minutes are available upon request.**

TOWN BOARD MEETING SIGN-IN SHEET

DATE: APRIL 4, 2023

Name	Title	Address
MARK BRITT	}	1279 York St 14465
MARIA WORTH		
Ken Lewis		2520 clayst Lina
Marty + Cathy Gonder		7400 Colby Rd
STEPHEN WERNER		7280 Kober Drive.
Mike Neenan		1601 Park St
Andy Morozik		Heath Markham
Blake Brown		Woodruff Rd
EARL (Skip) ADAMS		8060 E. MAIN ST.
KEITH & Ri CRIPPEN		7169 GALE RD.
John Wadach		7373 Ziegler Dr.