

## 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 3rd day of April 2018 at 6:00 P.M. Notice was printed in the Mendon-Honeoye Falls-Lima Sentinel.

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

Supervisor Falk called the meeting to order at 6:00 P.M.

### **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 Marcellus the vote went as follows:

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

### **Audit of Claims**

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. 107 through 133	\$ 12,847.31
Water Funds 1, 2, &3:	No. 7 through 11	\$ 23,504.94
Highway Funds:	No. 47 through 66	\$ 23,397.58

On a motion by Councilperson Gardner, seconded by Councilperson Marcellus the vote went as follows:

CARRIED Ayes: 5 Falk, Marcellus, Mayer, Gardner, Carey

Nays: 0

**March 6<sup>th</sup> 2018 Minutes**

Minutes from the March 6th meeting were approved by motion from Councilperson Marcellus, seconded by Councilperson Mayer, the vote went as follows:

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

Councilperson Gardner indicated the personnel policy section of the minutes was not accurate as discussed. Councilperson Mayer withdrew his motion and made a motion with corrections to the minutes, seconded by Councilperson Carey, the vote went as follows:

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

**Guest(s):** John Wadach & Tom Rodgers

**Proposed Local Law #1 of 2018**

**Public Hearing (Remained Open) to Extend Temporary Land Use Moratorium Prohibiting Large Scale Solar Installations at 6:35PM**

Town Attorney Campbell indicated regulations of Town Law §264 apply to this proposal because the moratorium affects lands that are within 500 feet of the boundaries of the Towns of Avon, Livonia, Mendon, Richmond, Rush and West Bloomfield, the Village of Lima, and Monroe and Ontario Counties. Said notifications for bordering municipalities were completed and mailed as required to affecting properties, therefore, if approved, all steps were properly followed. No further discussion at this time.

**EV Charging Station**

Village Trustee, John Wadach, stated three of five proposals came in. Discussion was held about installation and equipment and that some businesses wanted to do only the install and some only equipment. The one company who would do both was over the budgeted amount. Supervisor Falk said he would utilize his equipment to get the electrical portion of the project done and would cut costs. The Town crew will also assist by installing conduit pipes needed to run the electrical wires. After further discussions John said he will let the five businesses know to submit a bid based on electrical work being completed (should all businesses submit proposals over the budgeted

amount) and panel being installed. Further discussion will follow as information is received.

### **GCC Walkway**

Supervisor Falk met with three homeowners on the west side of 15A. The homeowners at 1530 Rochester Street, on the corner of Raxon Street, have signed the easement. The other two homeowners have concerns of sidewalk plans. Supervisor Falk will get the plans and meet with said homeowners. Attorney Campbell ordered Genesee Valley Title Services for an easement search on the East side of 15A. The report states easements were organized in sequence from south to north, beginning at Town/Village line and extending northerly to Town Line. Out of 29 properties, 4 have useable easements that will permit construction of a sidewalk. The other properties listed indicate either “no easement of record identified by search, permits sidewalks, water and sewer installation, only permits water installation or only permits water and sewer installation”.

Supervisor Falk indicated receipt a letter from Livingston County Department of Health addressed to Mr. Crocker residing at 1458 Rochester Road regarding his wastewater treatment system failure. This property is located in the sidewalk plans, that cannot be done until said was fixed. Supervisor Falk believes with the County sending a letter to Mr. Crocker the sewage discharge problem will be fixed. Councilperson Gardner asked when, Clark Patterson Lee, engineering firm, to expect a report back with their design for the walkway and Supervisor Falk said he would expect in the next month.

### **Post Office**

Supervisor Falk indicated the postal system study is on hold. They did hire their own electrical contractor to repair the lighting outside the doors. They have also been in direct contact with the Vice President of the Lyons National Bank and they have not gotten anywhere with said bank. Supervisor Falk also mentioned if you look into the store there is insulation that has fallen on the floor and the back of the building has been tarped. For now, the post office is staying. Updates will follow.

### **Speed Trailer/Display**

Superintendent Arner recommended the fully mounted battery unit estimated at \$3223. Arner checked into program funding for safety improvements and purchasing the sign is reimbursable because it has a service life of 10 years.

Upon motion by Councilperson Gardner to purchase the speed monitor, seconded by Councilperson Mayer, the vote went as follows:

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

### **Personnel Policy**

Councilperson Gardner offered to work with Village Trustee, John Correll, should the Village agree to have the same Personnel Policy and to collaborate on other policies such as the Ethics to have all policies standard and more efficient. Town Attorney Campbell thought the collaboration was a great idea and will have some economic benefit. Further discussion will be held at the joint meeting April 19<sup>th</sup> at 6PM. Councilperson Gardner suggested getting an employee handbook from the County or looking at other Town's Personnel Policies before looking into professionally hiring someone to complete a policy for the Town. Gardner also mentioned drafting the majority of the policy and then have a company, potentially, look it over to avoid a tremendous amount of investment.

### **Town Hall Office Hours**

Supervisor Falk, after attending a downtown 2.0 Conference, received recommendations for a better community and one of those recommendations was to have businesses open later. Falk suggested keeping the Town Hall open one evening. He spoke with Linda Banfield, Village Clerk, Tami Snyder, Assessor, Jennifer Heim, Town Clerk and Charlie Johnson, Building Inspector to see if they would be onboard to working an evening Linda did not see where working an evening would be beneficial; Tami, Jennifer and Charlie both agreed to give it try. It was agreed Deputy Clerk, Mary Smith will be working Thursday mornings as usual and the Town Clerk would work 1PM to 7PM starting in May. Councilperson Gardner asked if there should be tracking of activity in each office, for duration of 6 months to 1 year. She asked that each office report its activity each month and after 6 months suggested revisiting & evaluating change of hours to see if we stick with said hours or go back to 4PM. John Wadach said he will discuss with the Village Board to join the other offices and keep the Village office open late on Thursdays. Upon motion by Councilperson Mayer to change office hours starting in May, seconded by Councilperson Carey, the vote went as follows:

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



### **Electronic Communications**

Councilperson Marcellus discussed options of email domains for board members, this topic was brought up when board members learned from Mike Falk that personal emails should not be used to communicate Town business. Marcellus mentioned the use of a .gov domain has a cost of \$400 per year. Councilperson Gardner asked if the domain *townoflima.org* could be used as some town employees currently use this domain, and asked if there would be a charge. Dan believes the Town is paying something and that board members could certainly use the *townoflima.org* domain. Councilperson Marcellus is concerned about the maintenance of creating these emails. Town Attorney Campbell asked what he meant by maintenance and it was mentioned an email address would be turned on & off for new board members as seats could change every 4 years. Marcellus said he needs more information to put it all together. Supervisor Falk said he would work with the Town Clerk to get names and titles for Councilperson Marcellus while Marcellus tries to organize it.

### **Travel-Conference Request**

Superintendent Arner requested approval to attend annual Highway School June 4 – June 6. Upon motion by Councilperson Gardner approving said training at a cost of \$285, seconded by Councilperson Marcellus, the vote went as follows:

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

### **Close Public Hearing**

Supervisor Falk asked if there was any discussion regarding the public hearing to extend the large scale moratorium. No discussion. Motion by Councilperson Mayer to close the public hearing at 7:10PM, seconded by Councilperson Carey, the vote went as follows:

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

**Note: Under the SEQR Regulations this is a type 2 action. No further SEQR review is needed.**

## **Local Law #1 of 2018 - Approved**

### **A Local Law Establishing a Temporary Land Use Moratorium Prohibiting Large Scale Solar Installations within the Town of Lima**

Upon motion by Councilperson Mayer to approve the 1 year extension prohibiting large scale solar installations, seconded by Councilperson Gardner, the vote went as follows:

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

## **General Announcements**

Supervisor Falk informed the board that Town employees will have workplace violence training on April 5, 2018 at 10AM if a board member wanted to attend.

Councilperson Gardner mentioned she is a member of the County Community Initiatives Council and wanted to mention Ryan Snyder is doing some really great work, not only with training individuals who may be looking for work, but also doing some new things with job fairs and partnering with some different companies & schools that prepares people for work. She suggested people take a look at the website for a list of jobs, a list of job fairs and training.

Councilperson Gardner informed the board that the Town/Village received a \$1000 Arbor Day Grant. A volunteer tree planting day will be at the Mark Tubbs Park, Saturday, April 14 at 11 A.M.

Councilperson Gardner mentioned the state will be holding a webinar from 4pm to 6pm Thursday regarding large scale solar if anyone was interested. She will forward the email to board members.

Councilperson Gardner asked Supervisor Falk for an update from Theresa and Dane Perry requesting their property be annexed into the Village of Honeoye Falls to obtain a tie in to the HF sewer system. Falk said the last note he received from Rick Milne, Mayor, was the Perry's were going the route of "out-of-district users".

**Declare 2013 Ford Truck Surplus**

Superintendent Arner requested approval to declare his 2013 Ford truck surplus. Upon motion by Councilperson Mayer to declare said truck surplus, seconded by Councilperson Carey the vote went as follows:

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

**Move into Executive Session**

Supervisor Falk made a motion to move into executive session at 7:28 P.M., seconded by Councilperson Mayer.

**Move out of Executive Session**

A motion by Councilperson Mayer to move out of executive session at 7:55P.M., seconded by Councilperson Carey.

NO ACTION WAS TAKEN

Upon Motion by Councilperson Mayer to adjourn at 8:56 P.M., seconded by Councilperson Carey, the vote was unanimous.

Respectfully Submitted by:

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Jennifer Heim, CMC/RMC