

Official Minutes

An Organizational meeting (followed by the regularly scheduled Town Board 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 2nd day of January 2024 at 6:00 P.M. Notice was printed in the Mendon-Honeoye Falls-Lima Sentinel.

Present: Supervisor, Michael Falk
Councilperson, Bill Carey
Councilperson, Mark Petroski
Councilperson, Ron Blodgett
Councilperson, Steve Werner
Town Clerk, Jennifer Heim
Town Attorney, Jim Campbell
Highway Superintendent, John Sokolofsky

Guest(s): CEO/Building Inspector, Charlie Floeser, Marty Gardner, Cathy Gardner, Barb Finucane, David Sansone, Edwin Blodgett, Blake Benson, Mike Neenan, Doug Churchill, Ken Lewis

Supervisor Falk called the meeting to order at 6:00 P.M., with the Pledge to the Flag.

Town Board Meeting Protocols

Supervisor Falk read new 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 5 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 are held by the Supervisor or the Deputy Supervisor if the Supervisor is unavailable. At the beginning of each meeting the public may sign up to speak

for 5 minutes on any posted agenda topic. Questions can be answered during the agenda discussion or logged for answer after research. At the very end of each meeting the public may sign up to speak for 5 minutes on any topic at all. Questions can be answered or researched and answered later.”

Approval of the Agenda

Upon motion by Councilperson Carey to approve the agenda as distributed, seconded by Councilperson Werner, the vote was unanimous.

Blanket Undertaking - Resolution #1 of 2024

WHEREAS, section 11 of the Public Officers Law authorizes the governing body of a municipality to procure a blanket undertaking to cover officers, clerks and employees of the municipality who would otherwise be required to post an individual undertaking; and

WHEREAS, such blanket undertaking must indemnify against losses through the failure of officers, clerks or employees to faithfully perform their duties or account for moneys or property received by virtue of their position or employment and through fraudulent or dishonest acts committed by officials, clerks or employees covered there-under, now, therefore, be it

RESOLVED, that the Lima Town Board consents and approves a blanket undertaking to cover all officers, clerks and employees required by law to post an undertaking which undertaking shall be provided by the following policies:

- Current Crime Coverage is with NGM it is effective 12/28/2023-12/28/2024.
- Coverage is Per Employee with a limit of \$25,000
- Faithful Performance is included on for all Municipality Employees except for individuals in Law Enforcement
- There is also Excess Coverage for the following Positions:
 - Town Supervisor: \$60,000
 - Deputy Supervisor: \$60,000
 - Town Clerk/Tax Collector: \$80,000
 - Deputy Clerk: \$80,000

THIS IS TO CERTIFY that I, the undersigned Clerk of the Lima Town Board of the County of Livingston, have compared the foregoing copy of resolution with the original resolution now on file in this office and which was duly adopted by the Lima Town Board of said County on the 2nd day of January 2024 and

that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Lima Town Board of the County of Livingston.

Jennifer Heim, CMC/RMC
Town Clerk

Upon motion by Councilperson Petroski to approve Resolution #1 of 2024, seconded by Councilperson Carey the vote went as follows:

CARRIED Ayes: 5 Falk, Carey, Petroski, Blodgett, Werner
 Nays: 0

2024 Organizational Appointments

Town Bank:	Five Star Bank
Secondary:	M&T, Canandaigua National and Tompkins Bank of Castile
Official Town Newspaper:	Mendon-HF-L Sentinel
Accounting & Payroll:	BBS Accounting
Supervisor:	Michael Falk
Town Justices:	Joe Schwing & Harold Harris
Deputy Supervisor:	Leta Button
Town Clerk/Tax Collector:	Jennifer Heim
Deputy Clerk:	
Superintendent of Highways:	John Sokolofsky
Building Inspector:	Charlie Floeser
Librarian:	Megan McLaughlin (until 1/18/24)
Historian:	Karen Hanson
Records Management Town:	Jennifer Heim
Records Management Court:	Carol Tichenor
Court Clerk:	Carol Tichenor
Town Attorney:	James Campbell
Secretary to Joint PB/ZB Boards:	Sharon Knight
Secretary to BAR:	Jill Formella
Maintenance:	Brian Johnson

Shoveler:	Dan Hopson
Town Engineer:	Clark Patterson Lee
Registrar of Vital Statistics:	Jennifer Heim
Deputy Registrar:	
Representative-County Traffic:	John Sokolofsky
Alternate:	Mark Petroski
Custodian:	Dan Hopson

Mutually Agreed on Liaison Positions:

Liaison to Highway Department:	Ron Blodgett
Liaison to Planning Board:	Mark Petroski
Liaison to Parks Commission:	Rob Blodgett, Steve Werner
Liaison to Library Board:	Ron Blodgett
Liaison to Ag Committee:	Bill Carey
Liaison to the Court:	Bill Carey/Mark Petroski
Liaison to Crossroads:	Michael J. Falk
Liaison to Golden Age:	Michael J. Falk
Liaison to Cemeteries/Lawn Care:	Bill Carey
Liaison to Zoning Board of Appeals:	Steve Werner
Liaison for Village:	Michael J. Falk
Liaison to Planning & Buildings/Grounds:	Town Board
Liaison to Master Plan Communications:	Town Board
Liaison to Personnel & Employee Relations:	Michael J. Falk, Mark Petroski
Liaison to Marketing Commercial & Industrial Growth:	Town Board
Liaison to Recreation Program:	Mark Petroski
Liaison to Project Funding & Grants:	Town Board
Liaison to Historical Society:	Bill Carey
Liaison to Fire Department:	Steve Werner
Liaison to American Legion:	Michael J. Falk
Liaison to VFW	Michael J. Falk
Liaison to Be Well in Lima	Mark Petroski

Joint Town & Village Planning Board - Meet 3rd Wednesday of each month & 5-year terms if there is business

Wayne Childs (T) Chairman	2022-2026
Andy Britton (V) Vice Chairman	2024-2028

Members

Ericka Gruschow (V)	2021-2025
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Chris Harvey (T)	2024-2028
Larry Kramer (T)	2023-2027
Paul Osborne (V)	2012-2026
Jacob Button (T)	2020-2024
Christina Steerman, alternate (T)	
Alternate (V)	

Zoning Board of Appeals - Meet as needed & is 5-year terms

Jim Van Dick, Chairman (V)	2022-2026
Vacant - Vice Chairman	

Members

Vacancy (T)	2023-2027
John Bailey (T)	2024-2028
Duane Fuller (V)	2022-2026
Andy Matthews (T)	2024-2028
Vacancy (V)	2022-2026
Alternate Cindy DePuy (V)	2020-2024
Alternate, (T)	2024-2025

*Alternates are a 2-year term

Livingston County Planning Board

Dennis Neenan	2024	Appointed 3/14/1990
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Board of Ethics - Must not be more than 3 members of the same political party & 5 year terms

Tom Reynolds (D)	2021-2025
Anthony Catalano (R)	2022-2026
Michael Oklevitch (R)	2020-2024
Kevin Simmons (R)	2024-2028
Vacancy (D)	2023-2027

Town Assessor - 6 Year Term

Tami Snyder	2019-2024
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Assessment Board of Review - Meet once or twice a year - 5-year terms

Brett Siewart	2020-2024
Nicole Snyder	2024-2028
Blake Benson	2022-2026
Christian Nikodem	2022-2026

Dan Proctor

2023-2027

Historic Preservation Commission

Fran Gotcsik, Chair

Robin Hargrave

Don Brown

Agricultural Advisory Committee- 3 Year Terms

Mike Neenan, Chairman 2023-2025

Vacant 2024-2026

Tom Simpson 2023-2025

Ed Blodgett, Jr. 2022-2024

Lee DeKramer 2022-2024

John Lehning 2022-2024

Ron Gruschow 2023-2025

Marc Krieger, Alternate 2024-2026

Lima Golden Age Club

Laurie Arner, President

Jim Murphy, Vice President

Joan Riley, Secretary

Treasurer, Shirley Murphy

Past Officer, Doris Milton

Board Member, Marje Sackett

Board Member/Office of Aging, Marilyn Stuart

Library Board – 5 Year Terms

Shirley Caccamise, President 2020-2024

Teri Kruk 2022-2026

John Grasso 2023-2027

Debbie Lund, Trustee 2024-2028

Leta Button, Trustee 2022-2026 to fill balance of term

Volunteer Pool

Planning Board:

Zoning Board:

Assessment Board of Review:

Historic Preservation:

Library Board:

Special Meetings

May be called with a two-day notice and public posting in 3 locations, example: Town Clerks Legal Bulletin, Kirkwood's, USPS and Lima Diner, with notice given to the news media as well.

2024 Schedule of Salaries

Town of Lima Salaries of Elected & Appointed Officers

Supervisor	\$21,500.00 Annually
Deputy Supervisor	\$ 2,000.00 Annually
Town Board Members	\$20,000.00 Annually (\$5,000.00 per member)
Town Clerk	\$49,500.00 Annually
Deputy Town Clerk	\$8,200.00 Annually
Registrar	\$2,000.00 Annually
Tax Collector	\$3,500.00 Annually
Town Justice	\$25,756.00 Annually (\$12,878.00 per Justice)
Court Clerk	\$20,615.00 Annually
Highway Supt.	\$83,447.00 Annually
Motor Equipment Operator	\$33.16/hour – Ken East, Deputy Superintendent
“ “	\$27.02/hour – Ben Martin
“ “	\$25.73/hour – Sean Parslow
“ “	\$24.68/hour – Colt Gilbert
Laborer, PT -mowing	\$15.00/hour
Library Director	\$44,690.00 Annually *Vacant as of 1/18/24
Town Attorney	\$225.00/hour
Code Enforcement Officer	\$47,602.00
Custodian(s)	\$15.00/hour
Historian	\$1,500 Annually
Assessors Clerk	\$9,981.40 Annually
Assessor	\$32,151.00 Annually
Maintenance	\$20.00/hour
PB/ZB Secretary	\$4,000 Annually
Shoveler	\$15.00/hour

After discussion the board approved the following appointments with amendments and salaries listed below on a motion by Councilperson Petroski, seconded by Councilperson Carey, the vote went as follows:

CARRIED Ayes: 5 Falk, Carey, Petroski, Blodgett, Werner

Nays: 0

Mileage Rate .67 Cents

Effective January 1, 2024, mileage is .67 cents per mile driven for business use.

Organizational Meeting adjourned at 6:25PM with motion by Councilperson Petroski, seconded by Councilperson Carey. All in Favor.

Town Board Meeting

Supervisor Falk called the meeting to order at 6:25 P.M., with the Pledge to the Flag.

Approval of the Agenda

Upon motion by Councilperson Carey to approve the agenda as distributed, seconded by Councilperson Blodgett, the vote was unanimous.

Town Board Meeting Protocols

Town Board Meeting Protocols Supervisor Falk read new 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 reassigned 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 5 calendar days prior to the Board meeting date. Privileges of the floor are not to exceed 20 min. Approval authority for privileges of the Page 2 of 11 floor are held by the Supervisor or the Deputy Supervisor if the Supervisor is unavailable."

Public comment

Cathy Gardner submitted new correspondence to align with the additional data she received from the Town regarding water district #5 petition signatures. Said correspondence is listed below and has updated information that includes the additional information the Town released December 12th.

The Town Board has identified areas of highly concentrated petition signers at the south end of Doran, the south end of Poplar Hill Rd, South Lima, and a few other locations. These are all areas that may still be assisted with public water, possibly integrated into other regional projects, which will be discussed at the upcoming January 30 workshop.

Supervisor's Report

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

CARRIED Ayes: 5 Falk, Carey, Petroski, Blodgett, Werner
 Nays: 0

Supervisors Communication to the Board

Supervisor Falk received information regarding the power outage scheduled for January 6th from 7:30AM – 4:30PM.

December 28th Minutes

Minutes were approved upon motion made by Councilperson Petroski, with amendment to remove "executive session", seconded by Councilperson Carey, the vote went as follows:

CARRIED Ayes: 3 Falk, Carey, Petroski
 Nays: 0

Councilperson Blodgett and Councilperson Werner abstained because they were not on the Town Board at that time.

There was discussion regarding correspondence being entered into the minutes. The board agreed to allow correspondence if there was a majority vote to enter said correspondence.

Upon motion by Councilperson Carey to enter amended update correspondence by Cathy Gardner based on corrected foil, seconded by Councilperson Werner, the vote went as follows:

CARRIED Ayes: 4 Falk, Carey, Blodgett, Werner
 Nays: 1 Petroski

Approval of Abstracts

Resolved that the bills contained on Abstract #1 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Funds:	No. 1 through 12	\$43,689.68
Highway Funds:	No. 1 through 5	\$1,287.01

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

CARRIED Ayes: 5 Falk, Carey, Petroski, Blodgett, Werner
 Nays: 0

Paid Family Leave

Town Attorney Campbell will reach out to Labor Law attorney's, send over the Town of Lima's current Personnel Policy, and get quotes to revamp said Personnel Policy. Supervisor Falk will work on cost with the number of employees currently employed.

Water District #5

There will be a workshop on January 30th at 7:30PM at Town Hall.

Building Inspector/Code Enforcement Officer Report

BI/CEO Charlie Floeser emailed his report for board review and discussed the same.

Highway Department Monthly Report

Highway Superintendent discussed his report. He will send out his report at a later time.

Siemens Energy Services

No update at this time.

Court Audit

Councilperson Carey and Councilperson Petroski completed the annual court audit.

Resolution #2 of 2024 – Audit Report for Court Books

Upon motion by Councilperson Petroski to approve Resolution #2 of 2024, seconded by Councilperson Carey, the vote went as follows:

CARRIED Ayes: 5 Falk, Carey, Petroski, Blodgett, Werner
 Nays: 0

Town Court Accounting Books Audit Report

Resolution #2 of 2024

Auditors: William Carey and Mark Petroski

Process: The accounting reports for the court books were reviewed for the fiscal year 2023. The details for the fiscal year 2023 are as follows:

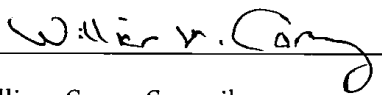
Results: the books have been duly examined and the fines collected have been turned over to the proper officials of the Town as required by law.

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.

Dated: January 2, 2024



William Carey, Councilperson



Mark Petroski, Councilperson

Budget Transfers

No budget transfers currently. Waiting for Accountants to send updated budget report.

Training Credit for PB and ZB

Supervisor Falk stated members of the Planning and Zoning Boards need annual training to stay on the boards. Supervisor Falk recommended training credit for any PB/ZB member observing the workshop being held on January 30th at 7:30PM at Town Hall. Upon motion by Councilperson Werner to accept the training credit for attending the workshop, seconded by Councilperson Carey, the vote was unanimous.

Motion by Councilperson Werner to adjourn at 8:11PM seconded by Councilperson Petroski, the vote was unanimous.

Respectfully Submitted by:

Jennifer Heim, CMC/RMC
Town Clerk

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

MEMO TO: LIMA TOWN BOARD
FROM: Catharine C. Gardner
CC: Jennifer Heim-Town Clerk, Lima Agriculture Advisory Committee
SUBJECT: Continuation of Comments made at 12/5/23 Town Board Meeting, updated to include additional information provided by the Town on DECEMBER 12, 2023, in response to FOIL Request for WD5 Total Petition Signatures made on November 8, 2023
DATE: January 2, 2024

November 8, 2023 – In response to a Freedom of Information Request, we received files containing the signatures to the petition for proposed Water District 5

December 5, 2023 – I submitted comments at the Town Board meeting based upon and including the information supplied, that I believed to be a complete response to our FOIL request.

At this meeting, Eric Weiss, CPL, distributed maps which indicated the properties for which signatures were obtained.

Upon review of these maps, it became evident that the signature information provided to us did not match the signature properties shown on the maps.

December 12, 2023 – Marty went to Town Hall and spoke with Jennifer Heim and Mike Falk about the discrepancy. Later that day, Jennifer sent an additional file of signatures and notified us that this file was inadvertently left out of the reply to our FOIL request. The value of signatures contained in this additional file totaled \$12,411,500.

The newly provided data indicates the following results of the petition for proposed Water District 5:

75.2% of the total assessed valuation did NOT sign
24.8% of total assessed valuation signed

Of the total petition value of \$168,893,558,
signatures totaled \$41,953,550/24.8%

The new data provided on 12/12/23 included two added signatures on Doran Road. With this addition, 46% of the value on Doran Road signed the petition.
54% of the value on Doran Road did NOT sign the petition.

Please include this submission with the official minutes of the January 2, 2024 Lima Town Board meeting.

Totals shown are corrected for two properties that were given double assessed value on the petition: 1411 Bragg St and 7160 Heath-Markham Rd and subtraction of one duplicate signature, Marietta Tenny – 3/14/23 and 10/14/23.