

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 5th day of September 2023 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 Andy Torpey, Town Clerk Jennifer Heim, Town Attorney Jim Campbell, Highway Superintendent John Sokolofsky, CEO/Building Inspector Charlie Floeser

Excused: Councilperson Leta Button

Guests: Paul Luft, Steve Werner, Erika Roggow, Jim Roggow, Blake Benson, Ron O. Blodgett, Lee DeKramer

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

Approval of the Agenda

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

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. 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.”

Open Public Hearing – A proposed Local Law # 3 of 2023 to Establish a Real Property Tax Exemption for Certain Qualifying Volunteer Firefighters and Volunteer Ambulance Workers

Supervisor’s Report

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

CARRIED Ayes: 4 Falk, Carey, Petroski, Torpey
 Nays: 0

Supervisors Communication to the Board

Supervisor Falk received letters from the following: call regarding Cleary Road ditches not being moved, Dave Lefeber Avon Supervisor regarding emergency water line on 5&20 and proposal for consultation from Embrace Fitness & Health.

August 1st Minutes

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

CARRIED Ayes: 4 Falk, Carey, Petroski, Torpey
 Nays: 0

Audit of Claims/Abstracts

Resolved that the bills contained on Abstract #9 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Funds:	No. 256 through 287	\$31,405.67
Highway Funds:	No. 109 through 125	\$29,838.86

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

CARRIED Ayes: 4 Falk, Carey, Petroski, Torpey
 Nays: 0

Building Inspector/Code Enforcement Officer Report

BI/CEO Charlie Floeser emailed his report for board review. Research will be completed to determine if the Town and Village can charge for Fire Marshall inspections, that are currently free.

Highway Department Monthly Report

Highway Superintendent John Sokolofsky emailed his report for board review.

Fuel Bids: Upon motion by Councilperson Carey to advertise for fuel bids with the Village to piggyback, seconded by Councilperson Torpey, the Fuel Bids will be advertised, and bids opened at the October 3rd meeting. Vote went as follows:

CARRIED Ayes: 4 Falk, Carey, Petroski, Torpey
 Nays: 0

Siemens Energy Services

Supervisor Falk met with Representative who will be submitting for final grant.

Water District #5

Supervisor Falk stated water sampling is done in South Lima and has been turned over to the engineers for result compilation.

Funds Transfers

Upon motion by Councilperson Carey to approve the below funds transfers, seconded by Councilperson Petroski, the vote as follows:

CARRIED Ayes: 4 Falk, Carey, Petroski, Torpey
 Nays: 0

TOWN OF LIMA

**PLEASE MAKE THE FOLLOWING BUDGET MODIFICATIONS
AT YOUR NEXT MEETING:**

GENERAL FUND-TOWNWIDE

<i>Transfer From:</i> A1440.4	Engineer, Contr. Expend	\$ 7,000.00
A7510.1	Historian, Pers Serv	\$ 2,400.00
A8810.2	Cemetery, Equip & Cap Outlay	\$ 1,000.00
A8810.4	Cemeteries Contr.	\$ 860.00
	TOTAL:	<u>\$ 11,260.00</u>

<i>Transfer To:</i> A1990.4	Contingency	\$ 7,000.00
A3510.4	Dog Control Contr.	\$ 105.00
A6989.4	Community Eco & Dev Contr.	\$ 4,155.00
	TOTAL:	<u>\$ 11,260.00</u>

Fire Protection & Ambulance Protection Agreements

Supervisor Falk spoke with Mayor Skiptunas regarding the increase in fees for both agreements. After discussion it was agreed to enter into a 3-year agreement, instead of a 1-year agreement, and lower rates. Mayor Skiptunas will discuss with his board on September 12th. An update to follow at the October 3rd regularly scheduled Town Board meeting.

Tentative Budget

Upon motion by Councilperson Petroski to accept the tentative budget and hold a public hearing for the preliminary budget at the October 3rd regularly scheduled meeting, seconded by Councilperson Carey, the vote went as follows:

CARRIED Ayes: 4 Falk, Carey, Petroski, Torpey
 Nays: 0

Tax Cap

Town Attorney Campbell distributed a proposed local law to override the tax levy limit established in General Municipal Law 3-C. After discussion and upon motion by Councilperson Petroski to hold a public hearing at the October 3rd meeting, seconded by Councilperson Carey, the vote went as follows:

CARRIED Aye: 4 Falk, Carey, Petroski, Torpey
 Nays: 0

BBS Contract for Bookkeeping and Payroll Services

After discussion and upon motion by Councilperson Petroski to accept the contract covering services through December 31, 2024, in the amount of \$19,800, seconded by Councilperson Carey, the vote went as follows:

CARRIED Ayes: 4 Falk, Carey, Petroski, Torpey
 Nays: 0

Excellus Health and Dental Insurances

After discussion and upon motion by Councilperson Petroski to adopt the same plans as employees had last year, seconded by Councilperson Carey, the vote was unanimous. (12.09% increase for health and 9.07% increase for dental)

Community Fitness and Health Proposal

Erika Reinhardt-Roggow, RN, MS, CPT of Embrace Fitness and Health submitted a proposal for consultation of \$300 per month from the Town/Village of Lima for coordinate, research and either implement or recruit a qualified individual to conduct a monthly fitness and health program for residents. After discussion and upon motion by Councilperson Petroski, it was agreed to table this item until further discussion is had with Mayor Skiptunas, seconded by Councilperson Torpey, the vote was unanimous.

First Net

Discussion was held to establish an account with First Net via AT&T. This service provides essential workers to a line solely dedicated for first responders and those on call for a reduced rate. Upon motion by Councilperson Petroski to set up an account for the Town of Lima, seconded by Councilperson Carey, the vote was unanimous.

Close Public Hearing - A proposed Local Law # 3 of 2023 to Establish a Real Property Tax Exemption for Certain Qualifying Volunteer Firefighters and Volunteer Ambulance Workers

Attorney Campbell notified the Board that the proposed Local Law constitutes a Type 2 Action under SEQR and that accordingly, no further SEQR review is necessary for the Board to take action. Upon motion by Councilperson Petroski to close the public hearing at 7:32PM and approve same, after no discussion, seconded by Councilperson Carey, the vote went as follows:

CARRIED Ayes: 4 Falk, Carey, Petroski, Torpey
 Nays: 0

TOWN OF LIMA LOCAL LAW NO. 3 of 2023

LOCAL LAW NO. 3 PROVIDING A PARTIAL EXEMPTION FROM REAL PROPERTY TAXES TO CERTAIN ELIGIBLE VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS

Be it enacted by the Town Board of the Town of Lima as follows:

Section 1. The intent of this Local Law is to adopt a real property tax exemption pursuant to New York State Real Property Tax Law 5466-a, for certain qualifying volunteer firefighters and volunteer ambulance workers that are residents of the Town of Village of Lima, Livingston County, New York.

Section 2. Real property owned by an enrolled member of an incorporated volunteer fire company, fire department, or incorporated volunteer ambulance service, residing in the Town or Village of Lima, Livingston County New York, shall be exempt from taxation to

the extent of 10% of the assessed valuation of the qualifying person's Primary Residence (As defined below) for Town purposes, provided the owner(s) meet the qualifications set forth in section 3 below.

Section 3. To be eligible for the exemption authorized by Real Property Tax Law \466-a and implemented by this Local Law, the subject real property must be owned by an enrolled member of an incorporated volunteer fire company, fire department, or incorporated volunteer ambulance service residing in the Town or Village of Lima, Livingston County, New York, subject to the following additional requirements: (a) the enrolled member resides in the Town or Village of Lima; (b) the real property for which the exemption is sought is used as the Primary Residence of the enrolled member; (c) the real property for which the exemption is sought is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used exclusively for the enrolled member's Primary Residence, but is used for other purposes, such portion shall be subject to taxation at the full taxable rate and the remaining portion, only, shall be entitled to the exemption provided by this Local Law; and (d) the enrolled member has been certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated volunteer ambulance service as an enrolled member of such incorporated volunteer fire company, fire department or incorporated volunteer ambulance service for at least two (2) years prior to the date of application for the exemption established hereby.

A. For purposes of this Local Law, "Primary Residence" shall be defined as the dwelling that the eligible person lives in for at least six (6) months and one day of each year for which an exemption is to be claimed.

Section 4. Any enrolled member of an incorporated volunteer fire company, fire department or incorporated volunteer ambulance service residing in the Town or Village of Lima, Livingston County, New York, who accrues more than twenty (20) years of active service and is so certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated volunteer ambulance service, who also meets all of the requirements set forth in Section 3, shall be granted a 10% exemption as described above for the remainder of his or her life as long as his or her Primary Residence is located within the Town or Village of Lima.

Section 5. An un-remarried spouse of a volunteer firefighter or volunteer ambulance worker killed in the line of duty while an enrolled member of an incorporated volunteer fire company, fire department or incorporated volunteer ambulance, serving the Town of Lima, shall be eligible to receive the 10% exemption as described above provided that (a) such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department, or incorporated volunteer ambulance service as an un-remarried spouse of an enrolled member killed in the line of duty; (b) such deceased volunteer had been an enrolled member for at least five (5) years; and (c) such deceased volunteer had been receiving the exemption permitted hereby prior to his or her death.

Section 6. An un-remarried spouse of a deceased volunteer firefighter or volunteer ambulance worker shall be eligible to receive the 10% exemption as described above provided that: (a) such unremarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department, or incorporated volunteer ambulance service as an un-remarried spouse of a deceased enrolled member; and (b) such deceased

volunteer had been an enrolled member of an incorporated volunteer fire company, fire department or incorporated volunteer ambulance, serving the Town of Lima, for at least twenty (20) years, and (c) such deceased volunteer had been receiving the exemption prior to his/her death.

Section 7. The Local Law shall take effect immediately upon its filing in the Office of the Secretary of State.

Dated at Lima, New York
August 3, 2023 (Introduced)
September 5, 2023

(Adopted) Jennifer

Heim, CMC/RMC

Lima Town Clerk

A handwritten signature in black ink, appearing to read "Jennifer Heim", written over the typed name "Jennifer Heim, CMC/RMC".

Move Into Executive Session – Particular Employee

Upon motion by Councilperson Carey to move into executive session at 7:57PM, seconded by Councilperson Petroski the vote was unanimous.

Move out of Executive Session

Upon motion by Councilperson Torpey to move out of executive session at 9:07PM seconded by Councilperson Carey, the vote was unanimous.

NO ACTION TAKEN

Motion by Councilperson Petroski to adjourn at 9:10PM seconded by Councilperson Carey, 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.