

Village of Lima Board Meeting Minutes

December 12th, 2023

Present: John Skiptunas, Mayor; Brian Smith, Deputy Mayor; Trustees Joshua Petraitis, John Wadach, and Carolyn Fleming (arrived at 7:30pm).

Others Present: Matthew Lenahan, Attorney; Elissa Sackett, Clerk; Ben Luft, DPW Supervisor; Steve McGrath, Fire Chief; Meg Rose, Ambulance Chief; Charlie Floeser, CEO; Pat Nicoletta, MRB Group; Jeanne Beutner.

Absent: Larry Teta, WWTP Operator.

The meeting of the Village of Lima was called to order by Mayor Skiptunas at 7pm Tuesday, December 12th, 2023, at Lima Town Hall, 7329 E. Main St. and was followed by the Pledge of Allegiance.

Motion

A motion was made by Trustee Wadach and seconded by Trustee Petraitis to approve meeting minutes from November 14th, 2023. Motion passed unanimously.

Guests

Pat Nicoletta, MRB Group

Mr. Nicoletta was present to discuss several studies MRB has been working on with the Village. They are the following:

- **NPS Storm Water Study** – The Village received a grant for \$30k to investigate areas of concern where drainage has been an ongoing issue over the years during heavy rain events. The study will evaluate the following six areas within the Village:
 - Low area (channel area between Genesee St. and Harrison Ave.).
 - Dalton Rd. Area.
 - Drainage area between Buell Rd. to West Main St. north of Dublin St. and Kober Dr.
 - Parkside Pl. area between Ziegler Dr. and Rochester St.
 - Drainage area from Buell Ave. to Genesee river, south of East Main St.
 - Village public park property adjacent to Spring Creek..

The Village will need to obtain easements for some of the properties to conduct the study. Once completed and evaluated, based on the findings the Village could then apply for a Green Infrastructure Grant to remediate flooding issues.

- **I&I Study** – MRB has completed the study, and the documentation has been sent to the DEC for review. Once the DEC completes their reports, the Village will look for grants to help with infiltration and inflow. Some of the issues found can be completed now by the Village crew (manhole repairs, etc.).
- **Meadow View Sidewalk** – MRB has been notified that the board approved to move forward with the redesign of the potential sidewalk on Meadow View Dr. They will look a little more at the survey information and look at drainage. He anticipates the survey should be completed within the next couple of weeks, and then MRB will proceed with the designs. Everything should be completed by the beginning of February and presented to the board. If the designs are approved, construction could start as early as spring, depending on the costs and funds available.

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Steve Werner – Mr. Werner has submitted his resignation as member of the Lima Zoning Board of Appeals as he will be starting his term as Town Councilman effective January 1st. The board thanked him for his dedication to the ZBA and wished him the best in his future endeavors. Mr. Werner presented the Park's Commission with a check for \$1237.30 for playground equipment. These funds were raised from the Pumpkin Festival. Mr. Werner also presented the Park's Commission with a check for \$250 as a donation from Mr. and Mrs. Werner to go towards the playground equipment.

Department Reports

Fire Department – Steve McGrath, Fire Chief

The ladder truck is currently at Firematic (formerly Churchville Fire) and needs significant repairs. He will update the board on the progress at the January board meeting.

Ambulance – Meg Rose, Ambulance Chief

Chief Rose discussed the ambulance report for the month of November. She stated the Narcan supplies, and box have arrived. The host box will be placed outside the Lima Pharmacy. As of now, four members of the Ambulance have completed the Narcan use training and the Ambulance can now host training sessions on how to use it. Trustee Wadach asked about the two new electric thermostats for the base. Chief Rose said there are five different zones at the base for air/heat and she is gradually changing the thermostats to help monitor the settings.

WWTP – Larry Teta (Absent)

See report provided by Mr. Teta. Mr. Luft discussed how the DPW crew will be helping Mr. Teta to complete all the Department of Health recommendations.

Code Enforcement Officer (CEO) – Charlie Floeser

CEO Floeser discussed his report. He has researched what other municipalities charge for Fire Marshall inspections and will forward those findings to the board.

DPW – Ben Luft

The GIS program is moving along. MRB has been busy populating the data that they already have. The first set of information that will be added to the system is the water mains and service lines since the Village must comply with the EPA lead line requirements. Premier is also all set up to start completing stakeouts for the underground electrical system. Once the fiber project has been completed, Premier will perform stakeouts for fiber underground lines.

Mr. Luft is compiling quotes for a leaf machine tractor. He requested approval to advertise taking \$60k out of highway reserves to purchase the tractor. In the meantime, he will write up specs for the tractor and add in a bucket attachment. He also requested the purchase be contingent on seeing the tractor and taking it for a test ride to make sure it will suit all the Village needs. He will work with Attorney Lenahan on verbiage and timing for the spec sheet.

Motion

Motion was made by Deputy Mayor Smith and seconded by Trustee Petraitis to advertise withdrawing \$60k from the Highway Reserves to purchase a tractor and attachments. Motion passed unanimously.

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Ziegler Drive will be oiled and stoned in the spring. Mr. Luft received the cost off the county bid, which is just under \$8k and it will be completed by Midlands. The Town and Village DPW crews will work together to complete the project.

Mr. Luft has cut down the tree on Maplewood Ave. He is still working on getting ahold of the contractor to get an estimate on trimming the other trees. He is also working with Attorney Lenahan to finalize the sale of the property to Mr. Sanderson, so it is no longer a Village liability.

Lastly, there is an issue with pump number 2 at the pumphouse. The mechanical seal is failing again. Mr. Luft is working with MRB and with Patterson as to why this is a continuous issue. The cost to fix will be approximately \$3k.

Clerk Report – Elissa Sackett

Clerk Sackett gave updates on the closeout for the Water and Wastewater projects. The Department of Health is still completing their review on the water project. Once completed, the final funds will be released, and the bond anticipation note will be paid in full. This will closeout the project as the Village has already gone to permanent financing. The Department of Environment Conservation has completed their review of the wastewater project. Funds should be released as soon as possible. Once released, the WQIP loan will be paid and then the Village will pursue permanent financing of the loan at 0%.

Several invoices were available to the board for review/approval. Payments were the following:

- Ambulance Fund: \$5023.91
- General Fund: \$43952.82
- Sewer Fund: \$17630.01
- Water Fund: \$9059.07
- Capital Water: \$268.50
- Capital Sewer: \$2058.50
- Capital Fiber: \$39134.81
- Grand Total: \$117127.32

Motion

A motion was made by Trustee Petraitis and seconded by Deputy Mayor Smith to authorize payment for said invoices. Motion passed unanimously.

Old Business

Mark Tubbs Park –

- **Potential Property Donation** – Mr. O’Brien has expressed interest in donating property his family owned to the park, contingent on a few requests. Attorney Lenahan will introduce Mr. O’Brien to the Park’s Commission so the two parties can converse.
- **Playground Upgrades** – Deputy Mayor Smith passed out preliminary designs for playground equipment provided by Bear’s Playground. He plans to contact Copy Town to print color designs and will post the designs on social media for public input. The Commission hopes to have the equipment installed by the 4th of July celebration. Designs can be viewed at the Village office during regular business hours.

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Joule Assets Lawsuit – Michael Palchlatko, CFO of Joule Assets had emailed Clerk Sackett stating Joule was now in a position to start paying on the debt owed to the Village. An initial payment of \$5000 will be sent, and then monthly increments of \$2000 will be mailed to the Village until the debt is paid in full. Attorney Lenahan stated that if the payments do not come in as stated, the Village could pursue the lawsuit as planned. The board has requested interest be paid on the amount owed to the Village.

Livingston County Water Sewer Authority Payment of Outstanding Debt to Village – Attorney Lenahan and Mr. Luft have been corresponding with Jason Molino to finalize a contract regarding outstanding debts. There are three issues that need to be resolved; the outstanding payment from the Town for the water infrastructure improvements, the status of the SAM grant and reimbursement back to the Town for what they paid for improvements to the pump house, and then the ownership and maintenance calculation for water district two. Mr. Molino wishes to sit down and have a formal meeting with all interested parties to finalize the contracts. A meeting will be scheduled in the upcoming weeks to finalize these issues and discussion will be held at a future board meeting.

Short Term Rental Law – Trustee Fleming passed around a draft of the Short-Term Rental Law. The board and Attorney Lenahan will review, make edits, and discuss at the January 9th meeting.

Fiber Optic Update –

- **Make-Ready Bid Requirements** – Trustee Wadach provided updates regarding the entire fiber project and where the Make-Ready bid package stands. Empire is still waiting on National Grid to take care of pre-existing conditions on pole applications #3, which is holding up parts of the bid process. Trustee Wadach also reiterated to Empire Access that they must abide by the Village procurement policy set in place, therefore, any service work over \$35,000 and any commodity purchases over \$20,000 must go out for competitive bidding.
- **Phase 1 Bid Opening December 14th** – An addendum has been issued for the RFP to address questions potential contractors had. Therefore, the bid deadline has been extended by one week. Bid opening will now take place on December 21st at 2pm. All bids must be received by 1:45pm on the 21st.

EV Charging Station Costs – Deputy Mayor Smith has implemented the charges approved upon by the Village board for charging for use of the EV station. Clerk Sackett passed handouts showing the amount of time a vehicle is connected vs. the amount of time a vehicle is charging. Almost half the time a vehicle is connected, it is not being charged. The board agreed to start charging a fee of \$1.75 per hour for vehicles connected after a vehicle is finished charging and \$0.25 per KWh for electrical use.

New Business

Greenspark Solar Meeting Report – Trustee Wadach attended a meeting with Greenspark to discuss potential ways to profit from an additional solar array at the ambulance base. He explained that the Village would need to have a place to “park” the credits from the array, so

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100% of the credits would go to the consumer, and in turn we would bill for 90% of the credits back. Currently, the Town law states that a solar array cannot be built if it is not being used for by the array owner. He asked for discussions to be held with the Town about potentially changing the current law.

2024 Intermunicipal Agreement for Code Enforcement Officer – Attorney Lenahan is reviewing the updated contract from the Town. He noted that one change extends the term from 1 year to 3 years. He will note if there are any other changes. Tabled to January 9th meeting.

Round Table

Deputy Mayor Smith – Requested Thank You card be sent to Mr. Werner for the donations to the park.

Trustee Wadach – Discussed the savings of \$6,566 that the Village earned from the Solar Array in the past 12 months.

A motion was made by Trustee Petraitis and seconded by Trustee Wadach to adjourn the meeting at 9:07pm. Motion passed unanimously.