

Regular Meeting  
March 10, 2020

Deputy Mayor: Jerry Warsaw

Trustees: John Wadach, Joe Schwing, John Correll

Supt. Public Works: Ben Luft

Recording Secretary: Linda Banfield

Attorney: Steve Kruk

Absent: Mayor Carl Luft

Guests: Tim Vandevelt (Fire chief), Scott Domuracki (Ambulance chief), Dan Marcellus (Skyport), Charlie Floeser (CEO), Brian Crye (WWTP), Mike Falk (Supervisor), Eric Baker, Dave Cabrera, John Skiptunas

Meeting opened at 7:00 pm

MOTION

Motion made by Joe Schwing, seconded by John Correll to approve abstracts A-12 for \$40,102.86, F-12 for \$1,678.39, Ambulance -12 for \$9,361.00, G-12 for \$3,361.95, Water Capital Project for \$222,391.14 and sewer capital project for \$8,092.10. Motion unanimously approved.

MOTION

Motion made by John Correll, seconded by Joe Schwing to approve the minutes of Feb. 28, as submitted. Motion unanimously approved.

Fire Department Report was given to the Board. Tim distributed handouts on the Corona Virus issue. This will be posted in the village. He informed the Board that the county Dept. of Health will be the point contact for Livingston County. The mayor will be the spokesperson for the village. The sheriff's department will make the decision as to if and when the Hyper Reach system would be utilized.

WWTP report was given to the Board.

Ben requested authorization to purchase a flow meter to monitor the sewer flow on the east side of town. Cost is approx. \$4500.00 which will be paid for out of the sewer contractual fund.

MOTION

Motion made by Jerry Warsaw, seconded by Joe Schwing to approve the purchase of the flow meter. Motion unanimously approved.

DAN MARCELLUS: Dan reviewed the preliminary 2020 budget summary for the village's IT needs. He stated that firewalls were the highest priority.

Deputy Mayor Warsaw presented the Village of Lima Cyber Security Acceptable Use Policy.

MOTION

Motion made by Joe Schwing, seconded by Jerry Warsaw to approve the Village of Lima Cyber Security Policy. Motion unanimously approved.

CEO Report was given to the Board.

Discussion was held on water and sewer inspection & hookup fees for Cobblestone Green development. The village will provide specification for the water meter. Pathstone will be responsible for procurement and installation of the meter. A \$500.00 fee will cover the village inspection of the installation of meter, pit, and tapping of the main supply line.

MOTION

Motion made by Jerry Warsaw, seconded by John Correll to set the water hook up cost at \$500.00 plus the cost of the meter and additional parts. Motion unanimously approved.

## MOTION

Motion made by Jerry Warsaw, seconded by John Correll to set the sewer hookup cost at \$500.00.  
Motion unanimously approved.

The \$400.00 park new residence fee will remain at \$400.00.

Discussion was held on the Planning Board meetings necessary for subdivisions.

## MOTION

Motion made by Jerry Warsaw, seconded by Joe Schwing to set the cost for multi-unit project reviews at a cost of \$2500.00. Motion unanimously approved.

Discussion was held on the No Tractor Trailer signs on Evergreen street. Ben will obtain another sign to be placed on the north side of Northeast Conveyor building.

Ambulance report was given to the Board.  
Jobs Completed by Village Crew was given to the Board.

Ben reported that the water supply line project is progressing. Ben stated that he has set up a tax-exempt Amazon account.

## RESOLUTION

**At a regular meeting of the Village Board of Trustees  
of the Village of Lima, in the County of Livingston  
and State of New York, held at the Lima Town Hall on  
the 10<sup>th</sup> day of March 2020**

**WHEREAS**, long-time Village Clerk/Treasurer Linda Banfield is completing her tenure as Village Clerk/Treasurer of the Village of Lima; and

**WHEREAS**, the Board of Trustees has been advised that the NYS Village Law states that the Village Clerk must be a citizen of the United States, at least eighteen (18) years of age or older, and a resident of the Village of Lima; and

**WHEREAS**, the Board of Trustees has been further advised that subsection two (2) of Section 3 - 300 of the NYS Village Law additionally provides as follows:

***“Notwithstanding any other provisions of law to the contrary; (a) the Board of Trustees of a Village may provide, in lieu of any other residency requirement imposed by law, that any appointed village officer may reside within a county in which the village is wholly or partially situated....”***

**NOW, THEREFORE**, upon motion by \_\_John Correll, seconded by Joe Schwing, it is hereby

**RESOLVED**, that from this time forward the appointed position of Village of Lima Village Clerk/Treasurer may be filled by a person residing in the Village of Lima, or in any other village or town located within Livingston County, New York, and further

**RESOLVED**, that the establishment of office working hours as well as the number of working hours to be worked by the Village Clerk/Treasurer, and the Deputy Village Clerk/Treasurer, shall be set and established by the Village Board of Trustees from time to time as it sees fit to do, at any official meeting of said Board of Trustees, and further

**RESOLVED**, that this Resolution shall be effective immediately upon the adoption of said Resolution by the Village Board of Trustees at a meeting of said Board.

DATED: March 10, 2020

**VOTE OF THE BOARD:**

Carl Luft, Mayor	<u>absent</u>
Jerry Warsaw, Trustee	<u>aye</u>
<u>John Correll, Trustee</u>	<u>aye</u>
<u>John Wadach, Trustee</u>	<u>aye</u>
<u>Joseph Schwing, Trustee</u>	<u>aye</u>

**BY ORDER OF THE VILLAGE BOARD  
OF THE VILLAGE OF LIMA**

\_\_\_\_\_  
Linda Banfield, Village Clerk

**MOTION**

Motion made by Joe Schwing, seconded by John Correll to appoint Heidi Banser as interim village clerk. Motion unanimously approved.

**MOTION**

Motion made by John Correll, seconded by Joe Schwing to appoint the registrar of birth and death records to be the Town Clerk. Effective March 13, 2020. Motion unanimously approved.

**MOTION**

Motion made by John Correll, seconded by Joe Schwing to appoint the Planning Board as the lead agent for the Pathstone Proposal. Motion unanimously carried.

Board reviewed the 2020-21 and the 2021-22 contract from Bernard P. Donegan Inc. for budget preparation. Board was in favor of the current year contract for 2020-21 with the subsequent year eliminated.

**MOTION**

Motion made by John Correll, seconded by Joe Schwing to authorize the Deputy Mayor to sign the amended 2020-21 Bernard Donegan contract for the preparation of the Budget. Motion unanimously approved.

Discussion was held regarding the village vacation and personal days policy. This matter is tabled until the new board has been installed.

Attorney Kruk informed the Board that he has received the quick claim deed to the parking lot.

The following resolution made by John Wadach, seconded by Joe Schwing:

**RESOLUTION**

Village Board of Trustees  
Village of Lima  
County of Livingston

**At a regular meeting of the Village Board of Trustees  
of the Village of Lima, held at the Lima Town Hall,  
7329 East Main Street, Lima, New York on the 10th**

**day of March, 2020.**

**WHEREAS**, the Village Board of Trustees of the Village of Lima has determined upon the advisability of purchasing from Niagara Mohawk Power Corporation street lighting infrastructure and utility poles located within the Village of Lima; and

**WHEREAS**, the Village Board has heretofore executed certain documents needed to forward the purchase of said lighting infrastructure from Niagara Mohawk Power Corporation; and

**WHEREAS**, said documents have been executed by Carl Luft, as Mayor of the Village of Lima; and

**WHEREAS**, Mayor Luft has not sought re-election, and will cease to serve as Mayor of the Village no later than March 31, 2020; and

**WHEREAS**, the Village Board of Trustees wishes to ratify documents signed prior to this time by Mayor Luft, and to further authorize execution of new documents by Mayor Luft's Deputy Mayor, Jerry Warsaw, and by his elected successor;

**NOW, THEREFORE be it RESOLVED as follows:**

The Village Board of Trustees ratifies each and every signature of Mayor Carl Luft made prior to this date, including but not limited to any execution of documents required or solicited by Niagara Mohawk Power Corporation, and thereby acknowledging that by his signature Mayor Luft exercises his authority to bind the Village of Lima as to legal documents and actions; and further

**RESOLVED** that Mayor Carl Luft remains legally able to execute documents on behalf of the Village of Lima for the remainder of his term of office; and further

**RESOLVED** that Deputy Mayor Jerry Warsaw is authorized by the Board of Trustees of the Village of Lima to execute documents on behalf of the Village of Lima for the remainder of his term of office; and further

**RESOLVED** that the newly-elected Mayor of the Village of Lima, as shall be determined by the election to be held on March 18, 2020, shall be legally able and empowered to execute documents on behalf of the Village of Lima during his term of office.

Dated: March 10, 2020

Vote of the Trustees:

Mayor Carl Luft	-	Absent
John Correll	-	aye
Jerry Warsaw	-	aye
Joseph Schwing	-	aye
John Wadach	-	aye

**BY ORDER OF THE VILLAGE BOARD OF  
TRUSTEES OF THE VILLAGE OF LIMA**

LINDA BANFIELD, Village Clerk

Attorney Kruk informed the Board that he has the easements for Lake Ave and Rochester St. If the Morehouse property will not grant an easement then the sidewalk may have to be put in on

the opposite side of the street.

Trustee Wadach asked if 50 seedlings could be acquired from Livingston County and be planted on Earth Day's 50<sup>th</sup> anniversary this year.

Trustee Wadach will be featured on 89.5 radio discussing the solar array project.

Discussion was held on the Park parking lot. The need is to permit access at certain areas but plantings can be considered to be more aesthetically pleasing.

Trustee Correll informed the Board that the dog park design including SHIPO & surveys will be \$8650.00.

AARP grants will be looked into which provide for multi-generational activities.

Attorney Kruk reviewed the NY Class information and found it all to be in order. He will draft an investment policy.

10:10 pm MOTION TO ADJOURN