

# Village of Lima Board Meeting

July 28, 2020

## **MEMBERS PRESENT:**

John Correll, Mayor; John Wadach, Deputy Mayor; Jerry Warsaw, Joe Schwing, John Kattato

## **GUESTS:**

Matt Lenahan, Village Attorney  
See attached sign-in sheet.

The meeting of the Village of Lima (The Board) was called to order by Mayor Correll and opened with the pledge of allegiance at 7:00 p.m. on Tuesday, July 28, 2020.

## **OLD BUSINESS**

Deputy Mayor Wadach made a motion, seconded by Trustee Schwing to approve the July 14, 2020 minutes as amended. The motion unanimously passed.

### **Sidewalk Project**

Mayor Correll gave the history of the sidewalk project along with the research and benefits of having connected sidewalks to the downtown area. Deputy Mayor Wadach then proceeded to give the history of the sidewalk grant process. He stated the grant was for up to \$551,000, the Village would be reimbursed for 80% of costs and that the engineering firm of Erdman Anthony was selected for the project. Currently the Village has large gaps in sidewalk connectivity and approximately 41,000 linear feet of sidewalks but not all are connected. The Lima Vision Plan, adopted in 2015, recommended building out our sidewalk system and ultimately have sidewalks on both sides of the street. He also noted that while the preliminary design is complete, nothing is official and that The Board wanted to hear input from residents before making an official determination.

Deputy Mayor Wadach introduced Mr. Paul Presutti, a Professional Engineer licensed by NYS and a partner with Erdman Anthony with 27 years' experience. Mr. Presutti stated that complete streets have been on the forefront of DOT priorities. Mr. Presutti stated the goals of this project were to determine sidewalk placement based on efficiency, cost and safety. He stated that some of the challenges of this project included providing tree lawns, matching sidewalks so they don't disrupt lawns, removal or trimming of trees/vegetation, ditches and drainage, curbs and bump-outs and location changes of utility poles. Mr. Presutti stated that the plan is to begin construction on sidewalks next summer.

Mayor Correll welcomed comments from the public at 7:25 pm. The following comments/questions/concerns were made:

Jack Sylvester (7457 East Main St.) was concerned over the proposed location of the sidewalk with regards to his home and invited Deputy Mayor Wadach to see the inside of his vegetation area that would be affected. Mr. Presutti stated that any vegetation or trees that have to be removed may be replaced however could not give specifics as to the size of the replacement trees/vegetation as that information is not available yet and would be cost dependent. Mr. Sylvester also questioned how the Village would pay for the project. Deputy Mayor Wadach stated that the remaining balance after the grant would include a 30 year bond as it is a capital improvement. The cost to residents would be \$25-\$40 a year based on a \$150,000 assessed home. Mr. Sylvester also questioned why the south side of his road was chosen as he believes the north side of the street would have less impact.

Sheila Osbourne (1919 Buell Ave) was concerned about the proximity of the sidewalk to her home. Mayor Correll stated that there are 24 homes that are within 10 feet of existing

sidewalk locations, 73 homes within 19 feet and some homes are less than 3 feet from existing sidewalks. She also stated that she had concerns about parking and right of ways.

Colleen Lacy (1911 Buell Ave) stated that the Highway Boundary line on the proposed project map shows it going through the middle of her living room. Mr. Presutti stated he will look into this. She stated that she has a reasonable expectation of privacy that the sidewalk would not give her. She also had concerns over drainage and said that tiling was put in near her foundation to help with drainage and the sidewalk could disrupt this. She also stated that she has hedges that would be removed that she believes would make her home more unsafe. She also raised concerns over where mailboxes would be placed. Mr. Presutti stated that he would like to meet with her and can outline on the grass where structures/landscaping would be placed to help her better visualize the project.

Cris and Kelly Doe (1954 Buell Ave) stated they support the sidewalk project due to a Kelly Doe's disability. Ms. Doe stated that she uses a wheelchair and lives two tenths of a mile from the Town Hall but has to drive as it is unsafe for her to be in the road. Ms. Chris Doe also stated that the trees that may need removal for the project is not a concern as they have been trimmed down to the point that they are no longer attractive.

Susan and Matt Gaynor (1731 Parkside Place) stated they are supportive of the overall project and believe the sidewalks will increase property values, safety and are an overall benefit to the community.

Rob Dewey (1960 Buell Ave) stated that it is infeasible and impractical to put in sidewalks on his street as the width of the road is 21-22 feet from edge to edge. He is concerned over the crossover at the bottom of the street as he believes it is unsafe. He questioned who would pay to have utility poles moved. Mr. Presutti stated the utility company would pay for any pole location changes. Mr. Dewey also questioned total costs and noted that the precursory costs would not be covered by the grant and stated what he believed were discrepancies in the total costs stating that the Village showed total costs of anywhere between \$600,000-over \$900,000. Deputy Mayor Wadach explained that the costs were based on scale of project and had a 25% contingency cost built into the project. Mr. Dewey also questioned how the sidewalk would be placed in front of the former site of K&K stripping as he believes there is hazardous material there that could halt the sidewalk project. Mr. Presutti stated that he has environmental professionals on staff that would be able to take care of this and that the sidewalk project would not be halted. Mayor Correll gave a history of the K&K Stripping site and stated that the County, State and Federal governments have given indication that the site will be remediated and returned to residential status as soon as funding is available. Finally Mr. Dewey asked that The Board consider reducing the scope of the project on Buell Ave to save costs.

Joanne Magar (1931 Buell Ave) stated her land has four times the frontage than any other house on Buell Ave. She has two driveways and has concerns with regards to drainage, gas line locations and six mature trees. She also asked if the sidewalk would be placed on both sides of her driveway. Mr. Presutti said he would look into this.

Judy Dunn (1953 Buell Ave) stated she believes the sidewalks will reduce her property value by \$20,000. She also questioned whether the grant should be used to repair existing sidewalks. Deputy Mayor Wadach stated that repairs to existing sidewalks is not an allowable expenditure for this grant.

Gary Humbert (7424 College St.) stated he has concerns over safety. He said that the Elm St. to East Main St. north entrance is a blind spot and a sidewalk should be moved to the south side of the street. He also stated that he just put in a driveway and questioned if there is an elevation difference between the sidewalk and driveway what would be done. Mr. Presutti stated that the sidewalks would meet the elevation of the driveway. Mr. Humbert also questioned if water services would be disrupted. Mr. Presutti stated that water disruption is not anticipated however if there was, it would be for a short period of time and would be coordinated with the homeowner

ahead of time. Mr. Humbert also stated he believes sidewalks are important in the village but is concerned about how the costs would affect the tax base.

Rachel and Ruben Rivera (1818 Harrison Ave) stated that their road has blind spots and can be dangerous and support the sidewalk project. Mrs. Rivera stated that sidewalks are an essential aspect of a community, improves walkability scores, increases property values, promotes a healthier community and fosters social interactions.

David Petruccione (7335 Dublin St.) stated that the sidewalk project, specifically on the corner of Dublin St. and Buell Ave., will limit the size of a vehicle the homeowner can purchase because a larger vehicle would block the sidewalk. He also questioned how snow removal would be accomplished so as to avoid drainage issues and blocking the residence. He stated that the sidewalk would encroach on his home and would cause privacy issues and doesn't believe a sidewalk should be placed on Dublin Street.

Jeana Breakingbury (7317 Dublin St.) asked how the decision was made to place the sidewalk on one side of the street verses the other. Mr. Presutti restated that the sidewalk locations were based on a number of factors including cost, ease of installation, safety and walkability with regards to impact and where people are trying to get to. Ms. Breakingbury stated that she believes the sidewalk should go on the opposite side of the street as the church parking lot is already there. She stated that drainage is also a concern. She also questioned if maintenance and budget costs have been accounted for. The Board stated that it had worked with the Lima DPW to address those concerns. Mr. Presutti stated that drainage would try to be improved when possible.

Eric Baker (7155 W. Main St.) stated that he has seen all of the sidewalk disconnects in the village and is happy that sidewalk connectivity will be improved.

Walt Fritz (7156 W. Main St.) stated he supports the sidewalk projects. He also asked if salted areas would be increased and Mr. Luft stated that it would not due to costs and equipment limitations.

Cindy DePuy (7283 Seneca Ave.) stated that she supports the sidewalk project.

John Skiptunas (7405 East Main St. #3) stated that he supports the sidewalk project.

Christine Turk (7319 College St.) stated that she has a large Ginkgo tree on her property and while she is in favor of the sidewalks would like to see the tree spared.

Rachel Miene (Tupelo Trail) stated that she supports the sidewalk project.

Cathy and Mark VanHorne (1707 Parkside Place) stated that they support the sidewalk project.

Mayor Correll asked if there were no other public comments on the sidewalk project that it be closed at 8:35 pm. Mr. Presutti stated he would stay to answer individual questions from the community. Mayor Correll recommended continuing the Village Board meeting upstairs and continue with agenda.

## **NEW BUSINESS:**

### **Sidewalks and Roads**

Mayor Correll stated he has met with Assemblywoman Marjorie Byrnes and the DOT to discuss the sidewalk project as well as the improvements to 15A. Mayor Correll stated 15A would undergo a micropaving/surface coating. Mayor Correll brought to her attention that 15A is scheduled to be dug up due to the water project and questioned whether the paving should be done after the project is complete. The DOT stated that they would continue the paving as planned.

**Pathstone Project**

Mayor Correll stated he had been contacted by Mr. Rob Cain from Pathstone who questioned if the Village would entertain a PILOT (Payment In Lieu of Taxes) program. Mr. Cain gave a figure of \$50,000-\$55,000 yearly fee with a 2% escalation clause. Mayor Correll noted that this is very early in the fact finding process and that Town Assessor Snyder will provide a more detailed complex computation for The Board to consider. Mayor Correll and Mr. Kattato both stated that a PILOT program may help Pathstone secure funding as it would be considered a fixed expense on their P&L statement. Mr. Correll asked Town Assessor Snyder and Livingston County to get more information on the property as it relates to the PILOT program. Currently the Village receives \$1100.00 for the parcel in annual tax revenue. Mr. Kattato stated that The Board should think about what is the “walkaway” amount for this project, what is the cost value to the community and what ultimately is best for the community. Mayor Correll also stated that The Board should consider that the Pathstone Project does not add any maintenance costs to the Village associated with it besides potential fire and ambulance. They will own and maintain the roadway, street lights, and common space not adding to the DPW workload.

**Energy Audit**

Deputy Mayor Wadach, LaBella Associates and Mr. Luft surveyed village owned properties. Deputy Mayor Wadach stated he did not believe the initial walk-through gave very much new information on how to save on energy costs. He noted that many of the rendering/mechanical drawings that the engineer requested are not available. Potential savings included a heat pump at the pump house at 1033 Rochester Street and at the sewage treatment plant.

**Fire Department**

There was concern over the Village water flow rate after a recent fire call on 15A was recorded. Mr. Luft stated that the recommended maximum flow rate is 600 gallons a minute per Village engineers. Mr. Luft stated that during the fire his water readings showed that the Lima Fire Department was pumping 1000 gallons a minute plus the East Avon Fire Department was pumping 700 gallons a minute. Mr. Luft stated that he was sent real time alerts from the Pump Station and the Meter Pit located at Lima Baptist for low water pressure and low water volume during the fire. Mr. Luft stated he had a conversation with the Fire Chief about the ramifications to the water pipes when using that amount of water. Deputy Mayor Wadach stated he appreciated the fire department saving the house and extinguishing the barn fire. Deputy Mayor Wadach made a motion that if there is no threat of loss of life then the Fire Department should stay within the constraints of the recommended maximum water flow rate of 600 gallons per minute. Mr. Kattato seconded the motion. Deputy Mayor Wadach rescinded the motion based on Mayor Correll’s intention to first talk with the Fire Chief and have the information included in the Standard Operating Procedure Manual for the Fire Department and Department personnel be trained accordingly.

**Sexual Harassment Training**

Deputy Mayor Wadach would like to have a Sexual Harassment Officer named, a complaint form and policies posted on the village website so that everyone has access to it. Mayor Correll suggested that NYMIR be used for recording and record retention. Mr. Luft will work with Clerk Hudak to set up the sexual harassment training for the village crew.

**Mark Tubbs Park**

Deputy Mayor Wadach stated that the Horseshoe Pit is complete. He asked Mr. Luft, Mayor Correll and any other board members interested to arrive at the park on Monday August 3<sup>rd</sup> at 8:30 am for a photo of the official opening of the horseshoe pit. Deputy Mayor Wadach asked if there were extending cylinders on the locks to the new park information board and Mr. Luft said he would look into it.

**Shade Tree Commission**

Deputy Mayor Wadach nominated Ben Luft, John Wadach, Andy Britton, Cindy DePuy and George Gotcsik to serve on the committee. Trustee Warsaw made a motion, seconded by Trustee Kattato to approve the nominations. The motion unanimously passed.

#### **Edmunds Software**

Deputy Mayor Wadach asked Clerk Hudak to verify that the relevy fee is \$25 and to find the corresponding motion. He also recommended a 4 per page postcard format for sending out bills as it was the lowest cost. He stated that the software gives us good recording and tracking. He also recommended that Mr. Luft and Clerk Hudak look for anomalies in the data every month.

#### **Town Parade**

Trustee Warsaw reminded the board about the Crossroads Parade on Sunday August 2.

#### **DPW Report**

- Mr. Luft stated that the milling and paving revised numbers have been sent out. He stated that the Livingston Street Apartment road will be closed August 18-20 for paving. He will talk to the owner of the complex and ask him to notify the tenants.
- The sidewalk on E. Main was poured and the owner asked to assume seeding and watering responsibilities.
- A job vacancy will need to be advertised as soon as possible as Gerry Panepinto's last day is September 11, 2020. Clerk Hudak will work with Mr. Luft to advertise the laborer position.
- Mr. Luft stated that we need to upgrade software to read water meters (Trimble, a Badger product)

Trustee Warsaw made a motion, seconded by Trustee Schwing to authorize a transfer up to \$33,000 from the water reserve fund for the purchase of a replacement water meter reading hardware and software. The motion unanimously passed.

At 9:50 pm Trustee Warsaw made a motion, seconded by Trustee Schwing to adjourn the meeting. The motion unanimously passed.

Respectfully submitted,  
GiGi Correll