

Village of Leicester

September 18, 2023 Board of Trustees Meeting

CALL TO ORDER: Mayor Briffa called the meeting to order at 6:30 pm followed by the Pledge of Allegiance.

PRESENT:

Mayor: Barry Briffa
Trustees: Don Jacobs, Tom Frantz, Dan Christiano, Ken Rizzo
Clerk-Treasurer: Deborah Beardsley
Deputy Clerk: Sam Bodratti
Fire Chief: James Kane, President John Yasso
Highway Superintendent: Russ Page
Water Operator:
Zoning/Code Enforcement:
Residents: Karen Roffe

EXCUSED:

MINUTES: The minutes of the August 21, 2023 Board Meeting were accepted on a motion by Trustee Christiano, 2nd by Trustee Frantz. [Motion Carried 4-0]

COMMITTEE REPORTS:

Fire Company Report: President John Yasso presented the following report:

- 6 Calls in the past month (see attached report) – President Yasso urges caution at Route 36 & Perry Road as traffic coming from Perry Rd often does not stop.
- Training – Dry hydrant pumping.
- P135 – part received to repair issue with quick dump of water.
- Appointment to meet with contractor for quote on Fire Hall roof repair/replacement scheduled for 9/19/2023
- Jaws repaired and back on the truck.
- Quotes for pads for AED units at both the Village Office and Fire Department - \$147.80 per each unit. for a total cost of \$295.60. Expense approved by Mayor Briffa.
- Still waiting for FEMA Grant.
- Fire/EMS Efficiency – CGR continues meetings with the 911 Center, both Cuylerville and Leicester Fire Departments and Emergency Fire Coordinator gathering information. Final report expected by end of December 2023.
- Mayor Briffa shared that a Public Hearing will be held on September 25, 2023 for the Tax Exemption for Volunteer Fire Fighters.

Highway Department Report: Russ Page presented the following:

- Review of outstanding work orders: Jones Bridge Road / Pleasant Street ditch clean out is on their agenda for this fall;
- Three cracked blocks on Main Street in front of the Ayers building need replacing and there are no blocks left for replacement so they will need to be purchased. Deputy Bodratti will inquire if the cost for those can be added to the Main Street Grant.
- There are uneven areas present in the sidewalk as well as two shut off valves that need to be lowered to prevent potential tripping hazard.

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- Blacktop at site of water break on Pleasant Street has been repaired; tree on South Parkway was cut down and the Town will load up the tree on the Village Truck to be removed.
- Helped to install the second valve at the pump house and now waiting on the next valve.
- Shut off in front of Karen Roffe's house was cleaned out, however, it was found to be the gas shut off, water shut off was found and repaired.
- Curb box at Bob Smith's is still pending; Trustee Jacobs recommended moving the water shut off out of the ditch to prevent problems if ditch needs future cleaning. Smiths can determine what else they may need to do. Highway Superintendent Page mentioned installation of a frost free water pit and would that meet the qualifications. Current water meter is located within the Smith's garage. Highway Superintendent Page will follow up.
- Carl Johnson's sluice pipe installation – They have a plan to install the driveway pipe and clean the ditch to the west as well as brush tree removal near Mr. Mazzarella's property in the Village right-of-way. To the east they will make a ditch to collect water from the tile Mr. Johnson has and move open ditch westerly and clean it out. Also with Ms. Parks approval clean the ditch area near her property where the silt is collecting. This is the least expensive and invasive approach. As they transitioned further east down toward the creek, it was discovered that there is a large diameter pipe approximately 12" that daylights in the ditch which runs toward Ms. Parks property. Unsure where that pipe stops or where the inlet is located. Village needs to research records regarding easements. It is believed that this pipe may have been disturbed when the water main was connected from North Street into Oak Manor in 2012-2014 possibly. There are also some significant holes near Ms. Parks property, and they are unsure the reason for said holes. Deputy Bodratti found some easement documents from the 1990's but they are for the water lines and are not related to this issue. Deputy Bodratti will review property maps and records and per Highway Superintendent Page, the homeowners are aware this will take time to investigate.
- Installation of the float at the water tower – Chris Young has the cable, the hardware and the connections for the float
- The newest work order is for the removal of the cherry tree to the right of the Ayers building that is leaning. There are planters ordered to replace the tree. The other tree will remain.
- A work order will need to be done for the fall leaf pickups. Last year instead of using date specific times for leaf pick up the Village used "week of" dates for leaf pick ups which worked well. The Village will again use "week of" dates this year.

Water Report:

- Underwater Solutions – Water Tower Maintenance company. On the previous inspection it was noted that there was sediment build up in the bottom of the tank which was cleaned out. Since that time the mixer was installed. Mayor Briffa will discuss with Chris Young.

Zoning Report: Mayor Briffa reports the following:

- Code Enforcement Officer Cagle has not advised the Clerk or Deputy Clerk if the requested reports for properties at 1 Oak Manor and 151 Main Street have been submitted to the Lawyers office. Clerk-Treasurer Beardsley states that she spoke with the lawyer's office and they shared that Mr. Yasso was in direct contact with the Code Enforcement Officer which the Mayor confirmed.
- One outstanding permit remains.
- Property on Main Street with collapsing front porch needs fencing off to prevent entry for safety.

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OLD BUSINESS:

- **Grants:**
- Mayor Briffa and Deputy Clerk Bodratti had a meeting on September 14, 2023 with Ann Shaw, Assistant Director from DASNY. Ms. Shaw gave some background on how DASNY works and how they release the funds. DASNY has no control over anything. They get the word from the Senate Finance Committee on when to release the money. We are waiting for someone from the sponsoring body, which is the Senate Finance Committee, to locate our request for change of the scope of the Route 36 Water Line project, which was sent to Senator Helming. The Senator needs to find her connection at the Senate Finance Committee to approve the request and move the money forward. The Village has not been denied. Deputy Bodratti has reached out to the Senator's office via email on the issue. Mayor Briffa will also follow up with the Senator's office.
- Deputy Bodratti will communicate with Louise Wadsworth on the Main Street Grant project and the design for banners. Ms. Wadsworth suggested photos from Letchworth State Park on the banners as a "gateway" to Letchworth. The project includes crocks added to Main Street, additional entry signs on the existing signs. It was mentioned by Karen Roffe that when the program was done, Leicester was not identified as a gateway village the same as Mt, Morris, Geneseo and possibly Perry. Mayor Briffa will ask Ms. Wadsworth that question.
- Mayor Briffa states it is again in negotiations to put a roundabout at the intersection of Route 36/20A. Highway Superintendent Page mentioned that the Village of Leicester was partially involved with the Route 36 Corridor Study. At one of the last County Traffic Safety Board meetings, it was explained that the report concluded roundabouts would be put in at Park Road /Route 36 (Letchworth State Park), Perry Road and one at Route 36/20A. It had an estimate of millions of dollars and the project was shelved. The Traffic Safety Board was going to try to get this project moving again. Further discussion continues regarding clearing and lowering the banks north of Perry Road to gain better sight distance. Discussion continued on how dangerous the Perry Road intersection continues to be. Flashing lights on Perry Rd to alert traffic to stop would be a more efficient, economical fix. Out of State traffic seems to be the biggest offenders.
- Mayor Briffa reports Andy Koziel has taken down the tree at Gatherings. Mark Bonadonna advised there is a tree in the park facing Main Street that has two big limbs that have been destroyed by woodpeckers, and Mr. Koziel gave a quote of \$500 to remove the limbs, which the Mayor approved. Equipment has been moved to Main Street and North Street to take care of trees in that area.

OPEN PUBLIC HEARING ON INCREASE OF LATE WATER PENALTY – Public Hearing opened on a Motion by Trustee Christiano, 2nd by Trustee Frantz on proposed increase of late water penalties. [Motion Carried 4-0]

NEW BUSINESS:

- Shared Services Agreement – Mayor Briffa asked Highway Superintendent Page to explain that agreement. Mr. Page explained it involves sharing equipment between the municipality and the State Department of Transportation. Trustee Christiano stated that based on the wording of the agreement, it appears to indemnify the State if they come in to do anything. Mr. Page pointed out that there is no cost. Further Board discussion involved whether the agreement was necessary since

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the Village contracts with the Town Highway Department. Motion made by Trustee Rizzo to reject the Shared Services agreement, 2nd by Trustee Frantz. [Motion Carried 3-1]

MAYOR'S REPORT:

Mayor Briffa invited Trustee Christiano to speak about the Proclamation of Mayors held on August 29, 2023 that he attended on behalf of the Mayor. Trustee Christiano shared that Mayor Freeman was a great host and it was a wonderful event at the Avon Park Theater. The event turned into a 'healthy discussion' of why it's important for the villages to be together as the 9 villages represent 48% of the population in the County. The meeting was sparked by the activities of the Livingston County Water & Sewer Authority and Mayors that were the most outspoken felt they were being strong-armed by them. They also felt they have no voice at the County level even though we are constituents of the towns we are in, we don't have a voice on issues particular to villages more so than townships, so having this cohesive agreement is helpful. The event turned into an impromptu meeting discussing green energy, sidewalks, and grants and coordination between municipalities in applying for these grants. The villages hope to make this a larger event in the future.

The Association of Villages dinner scheduled for September 20, 2023 was cancelled. There was not enough involvement from Villages to meet the minimum number of diners required by the restaurant. Mayor Briffa will reach out to Mt. Morris Village Mayor Joel Mike to see if another dinner can be arranged possibly in the Spring.

Public Hearing to be held at the Town of Leicester Town Hall on September 19, 2023 regarding the Fire Department contract between the Town of Leicester and the Village of Leicester.

CLERKS REPORT:

Resolution Requesting Collection of Delinquent Taxes by the Livingston County Treasurer as of October 1, 2023 in accordance with section 1442 of the Real Property Tax Law of the State of New York:

Clerk-Treasurer Beardsley presented the resolution that was accepted on a motion by Trustee Christiano, 2nd by Trustee Jacobs. [Motion Carried 4-0]

Williamson Law Books Contract for Accounting Services for 10/1/2023-9/30/2024: Approved by Audit Committee.

NYSERDA Clean Energy Communities: Establishing Energy Benchmarking Requirements for Certain Municipal Buildings: Clerk-Treasurer Beardsley explained the activities that the Village has already done or are in process that will allow the Village to earn \$5000 in grant money. Activities include the current replacement of the LED street lighting, previous upgrade of the Village Office and Fire Hall lighting, and future monitoring of energy usage. The program allows for new projects in the future and more available grant money opportunities. Avon is currently involved with this and Lima has received enough points to earn grant monies of \$100,000. Motion made by Trustee Christiano, 2nd by Trustee Rizzo to approve and establish Energy Benchmarking for Certain Municipal Buildings. [Motion Carried 4-0]

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Unified Solar Permit: Trustee Christiano states there currently is no code in place and all Village Solar applications need to go before the ZBA. Included in the NYSERDA program is the Unified Solar Permit. Zoning Committee will need to meet and review.

Public Hearing on Proposed Late Water Penalties: Mayor Briffa shared some background information on the reason for the Public Hearing. There are a few customers who continue to be late with paying their water bills. Clerk-Treasurer Beardsley detailed the water billing from the initial post card sized bills that are mailed to every customer quarterly; then secondly, a first late water notice mailed out the first of the month following the original due date advising those customers of the water amount due plus the first 10% penalty applied; to finally, the termination warning letter and a red door tag to those customers who still have not made payment after 60 days, notifying them of the water amount due plus an additional second 10% penalty with a ten day period to pay to avoid termination of water service. Most customers do pay following the first penalty notice, but there are still a few customers that are still outstanding after both penalty notices.

Mayor Briffa explained that with a small village and a small budget, the Village must maintain the pump house, the water tower and the water department staff along with the debt service (which ends in 2026) so to encourage customers to make payment on time the Village is proposing an increase to late penalty fees.

The Village has a Water Law and does have the option legally, of shutting off customers who do not pay. During the past few years, during the COVID pandemic it was stressed by the County to not shut water service off. However, now those restrictions have been lifted.

It was noted that the Village needs the prompt payment of funds from water billing to also pay the Village of Mt. Morris for the water the Village of Leicester is purchasing for residents. Discussion ensued about how much to increase the penalty. The levels of the current penalty structure were again discussed and it is the handful of customers who wait until the very last hour that the Village is looking to encourage to pay timely. Occasionally a customer can miss a bill and they are encouraged by the Clerk and Deputy Clerk that if they haven't received a bill by the 15th of the month, to contact the Village office. Trustee Christiano proposed to leave the first penalty at 10% and increase the second penalty to 25% and inquired as to the difficulty of managing that going forward. Clerk-Treasurer Beardsley stated that it should not be a problem and it only involves a small number of accounts. New software in future would also help simplify the issuing of scaled penalties.

Mayor Briffa states the Village can be reasonable in regard to penalties if customers bring their request to the Village Board.

A Motion was made by Trustee Christiano, 2nd by Trustee Jacobs, to amend the Village policy for late payments to a scaled late fee with the first month penalty at 10% and the second late penalty to increase to 25%.

Role Call Vote: Trustee Jacobs- Yes; Trustee Christiano- Yes; Trustee Frantz- Yes; Trustee Rizzo-Yes.

[Motion Carried 4-0]

PUBLIC COMMENTS: Karen Roffe, Historian, will provide a short article for the Fall Newsletter regarding street lights.

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CLOSE PUBLIC HEARING: Public Hearing closed on a Motion by Trustee Christiano, 2nd by Trustee Rizzo.
[Motion Carried 4-0]

ENTER EXECUTIVE SESSION: Motion by Trustee Frantz, 2nd by Trustee Jacobs to enter into Executive Session at 7:55 pm regarding employee and water issue. [Motion Carried 4-0]

EXIT EXECUTIVE SESSION: Motion by Trustee Christiano, 2nd by Trustee Frantz to exit Executive Session at 8:26 pm. [Motion Carried 4-0]

Motion by Trustee Christiano, 2nd by Trustee Rizzo to terminate water services for non-payment of bill for properties at 233 Main Street and 9 North Street. [Motion Carried 4-0]

AUDIT OF BILLS:

Trustee Rizzo motioned, 2nd by Trustee Christiano to accept the bills as audited. [Motion Carried 4-0]
General Fund Vouchers 2933 - 2949 \$7,704.86 Water Fund Vouchers 1078 - 1086 \$6,216.15

NEXT VILLAGE BOARD MEETING:

Special Board Meeting on September 25, 2023 for Public Hearing on Tax Exemption for Volunteer Fire Fighters and EMS Members
Board of Trustees Meeting October 16, 2023, at 6:30 pm at Village Hall.

ADJOURNMENT: Trustee Jacobs motioned, 2nd by Trustee Rizzo to adjourn the meeting at 8:31 pm.
[Motion Carried 4-0]

Respectfully Submitted,
Deborah Beardsley
Clerk-Treasurer
Village of Leicester

1. Activities

Number of calls in the past month (Aug 14 – Sept 17) 6 calls.

- 1) 8/31/23 – Lift assist @ 11 Oak Manor
- 2) 9/06/23 – Fill in at Perry Fire Hall
- 3) 9/06/23 – 4-Wheeler Accident @ 67 Market Street
- 4) 9/12/23 – MVC one vehicle into tree @ 2777 Perry Road
- 5) 9/16/23 – Smell of Gas at campsite @ Letchworth State Park camping area
- 6) 9/17/23 – Dirt Bike Accident @ 2011 New Road Empire Dragway

August monthly training – Dry Hydrant pumping – used the Village Park cistern

2. TRUCKS:

2017 Pumper Truck 135 – Quick dump on back not working. Part is in. Repair to be done

2006 Pumper Truck 134 - OK

2006 Mini Pumper 133 - Ok

3. Fire hall:

- 1. Back Roof needs to have repairs - Leaks - Contractor to provide a quote – on Hold
- 2. Backup Generator?? – Wait Till Fire and EMS study is completed

4. Equipment

A) Need to order 2 more sets of gear for next budget year 2023-24. 7-9 months delivery time – Estm. \$5500.00

B) Ordered equipment for the Forestry Grant (\$3000) \$1500 / \$1500 match –

*7-12-23 most of the items are here – invoices total \$3028.77

* 8-14-23 contacting Forest Ranger to close out grant

C) Rescue tool / Jaws needs repair – repaired and back on truck

D) AED machine updated quote to purchase 2 – one for Truck and one for village hall office -

5. Other items

A) **Application for 2022 FEMA grant** is submitted. Total \$190,884 for 16 air packs and spare cylinders

* 9-18-23 No response yet

C) **Local Gov Efficiency** - Fire and EMS study grant approved for \$19,500 at Feb. meetings Town and Village. Total for the study is \$39,000.00

*6-7-23 Final application signed by Supervisor Fanaro and sent back to DOS

*7-17-23 CRG will start study – meeting with Fire Depts. week of July 24, 2023

* 8-14-23 Sub-Committee meeting with CRG group to kick off study information

*9-18-23 CRG is meeting with officials to get data