

# *Village of Leicester*

## September 21, 2020 Board Meeting Public Hearing – Charter Communication Franchise Renewal

**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:** Mike Constantino, Tom Frantz, Don Jacobs, Ken Rizzo

**Clerk-Treasurer:** Kirstie DeGraff

**Fire Chief:** Jim Kane

**Highway Superintendent:**

**Water Operator:** Al Mothershed

**Zoning/Code Enforcement:**

**Residents:**

**MINUTES:** The minutes of the August 17, 2020 Board Meeting and August 31, 2020 Special Board Meeting were accepted on a motion by Trustee Rizzo, 2<sup>nd</sup> by Trustee Jacobs [Motion Carried 4-0]

**COMMITTEE REPORTS:**

**Fire Company Report:** Fire Chief Jim Kane reported the following:

- 1) 7 calls, 49 calls year to date
- 2) DEC Forestry Grant items have been ordered (\$1500 towards \$3000 purchase)
- 3) No news on FEMA Grant
- 4) October 23<sup>rd</sup> Fire Fighter Appreciation Dinner at Fire Hall

**Highway Superintendent Report:** No report

**Water Report:** Water Operator Al Mothershed reported the following:

- 1) **Route 36 Water Meter Improvement:** There is a NYSEG pole holding up the job. Not sure if NYSEG will be replacing pole or holding existing pole in place and when they plan to do either. There was discussion on Villager Construction doing Phase I of the project now or just wait for NYSEG. There was much discussion on why this pole was not an issue with MRB Group in the beginning when it was brought to their attention. There was question on who bears the liability if the job is not completely by September 30<sup>th</sup> as contracted. All indicated he will be following up and watching the project closely.
- 2) There was discussion on the high volume of water Seneca Foods draws during their beet processing and how it affects the Village with significant pressure loss. Al indicated he has worked out a procedure with Seneca so that the pressure loss does not occur.
- 3) All reported the Village did not pass the quarterly water test by a tiny amount which was due to high THMs – mostly from the low lake levels and the treatment processes necessary as a result.
- 4) Clerk-Treasurer DeGraff reported that she attended the County's Water Study presentation and can email anyone copies of the report.

**Zoning/Code Enforcement Report:** No report

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**OPEN PUBLIC HEARING:** Mayor Briffa opened the public meeting at 7:00 pm on a motion by Trustee Constantino, 2<sup>nd</sup> by Trustee Frantz [Motion Carried 4-0]

**CLOSE PUBLIC HEARING:** Mayor Briffa closed the public meeting at 7:30 pm on a motion by Trustee Jacobs, 2<sup>nd</sup> by Trustee Constantino [Motion Carried 4-0]

### **RESOLUTION**

An application has been duly made to the Board of the Village of Leicester, County of Livingston, New York, by Spectrum Northeast, LLC, an indirect subsidiary of Charter communications, Inc. (“Charter”). A limited liability company organized an existing in good standing under the laws of State of Delaware doing business at 2604 Seneca Avenue, Niagara Falls, NY 14305, for the approval of a renewal agreement for Charter’s cable television franchise for ten (10) years commencing with the date of approval by the Public Service Commission.

The franchise renewal agreement would bring the franchise into conformity within certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings.

**NOW, THEREFORE,** The Board of the Village of Leicester finds that:

1. Spectrum Northeast, LLC has substantially complied with the material terms and conditions of its existing franchise with applicable law; and
2. Spectrum Northeast, LLC has the financial, legal, and technical ability to provide these services and equipment as set forth in its proposal attached; and
3. Spectrum Northeast, LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

**BE IT FURTHER RESOLVED** that the Board of the Village of Leicester hereby grants the cable television franchise of Spectrum Northeast, LLC and the Village of Leicester for ten (10) years commencing with the date of approval by the Public Service Commission and expiring ten (10) years hence.

**BE IT FURTHER RESOLVED** that the Board of the Village of Leicester hereby confirms acceptance of this franchise renewal agreement.

The foregoing having receive a 4-0 vote was hereby declared adopted.

### **OLD BUSINESS:**

**Community Building:** Mayor Briffa reported that the 6-month lease agreement with ARC for 2 rooms #13 & #14 plus use of kitchen and gym plus prorated utilities has been accepted. Mayor Briffa presented the offer from MVAH Partners to purchase the building for \$500,000. Trustee Constantino motioned, 2<sup>nd</sup> by Trustee Frantz, to reject MVAH Partners offer for \$500,000 and to counter with \$1.499 million ground lease. [Motion Carried 4-0]

### **NEW BUSINESS:**

**Sidewalks:** Mayor Briffa presented the proposal from Pat DioGaurdi. After some discussion it was agreed to only have the warning mats at the railroad crossing replaced for \$825 at this time. Mayor Briffa will draft a letter to the Presbyterian Church requesting their obligation to cover \$225 for half of the \$450 quote to repair the sidewalk in front of the church as the damage was done by equipment hired for church repairs. The quote to extend the sidewalk to the park on South Parkway will be tabled pending the outcome of the Route 36 Corridor Study.

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**First Impressions Grant:** Mayor Briffa noted he has a meeting with Louise Wadsworth on Wednesday to discuss the planters, benches and trees for beautifying Main Street through the grant.

### **MAYOR'S REPORT:**

**Newsletter:** Mayor Briffa reported that Fall newsletter has been mailed.

### **CLERK'S REPORT:**

**Delinquent Taxes Resolution:** Clerk-Treasurer DeGraff presented a list of the current unpaid taxes, of which one included levied water. Trustee Constantino moved, 2<sup>nd</sup> by Trustee Rizzo, to adopt the following resolution:

**BE IT RESOLVED** that the Livingston County Treasurer be authorized to collect the 2020-2021 Village of Leicester taxes as of October 1, 2020 in accordance with section 1442 of the Real Property Tax Law of the State of New York. [Motion Carried 4-0]

### **AUDIT OF BILLS:**

Trustee Constantino motioned, 2<sup>nd</sup> by Trustee Rizzo, to accept the bills as audited [Motion Carried 4-0]  
General Fund Vouchers 2064 - 2081 \$3,400.63    Water Fund Vouchers 784 - 791 \$5,448.44

**NEXT VILLAGE BOARD MEETING:** Board of Trustees Meeting October 19, 2020 pm at 6:30 pm the Village Hall

**ADJOURNMENT:** Trustee Jacobs motioned, 2<sup>nd</sup> by Trustee Frantz to adjourn the meeting at 8:15 pm.  
[Motion Carried 4-0]

Respectfully Submitted,  
Kirstie DeGraff  
Clerk-Treasurer  
Village of Leicester

## LEICESTER FIRE COMPANY REPORT FOR VILLAGE MEETING

9/21/2020

- 8/20/2020 Outside Fire 4716 River Rd. (field Fire )
- 8/27/2020 Co2 Call 2840 Jones Bridge Rd. (Bad Batteries)
- 8/27/2020 MVC 3155 Cuylerville Rd. (1 car down embankment)
- 8/31/2020 Wire Down Sparking 5502 MtMorris Rd. Lot 7 (Sparks)
- 9/1/2020 Control Burn 5257 Wheelock Rd. (Info Page ) (YTD47)
- 9/15/2020 (Mutual Aid York) To Scene @ Smell Of Gas  
2896 Retsof Ave. (Smell Of Gas from Stove)
- 9/19/2020 MVC 2670 Perry Rd. (1 car 2 Motorcycle down) (YTD49)
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- **8/17/2020 Village Board Meeting** (Jim Kane /Don Kane 1 hour each)
- **8/19/2020 Line Officers Meeting** (JimKaneDonKane AdamBodratti RussPage JakePost WayneAustin 1 ½ Hourseach)
- **8/20/2020 LCFFA Meeting @ East Avon Fire Hall**  
(Jim Kane Don Kane Bill Kane Jake Post John Barnard 2Hourseach)
- **9/2/2020 Line Officers Meeting** (JimKaneDonKane RussPage JakePost WayneAustin 1 ½ Hourseach)
- **9/3/2020 Attended Fire Chief Meeting @ HC** (Jim Kane 2 Hours)
- **9/7/2020 Attended Monument Deduction Ceremony For  
50+ Year Member Stan Lubanski @ Village Park  
11 Members @ 1 Hours Each** (JK DK JP LS WK JY MY ML JB HG KD)
- **9/8/2020 Leicester Fire Company Meeting** (XX Members @30 minutes)
- **9/14/2020 Dept. Monthly Training (Ladders/ SCBA Search)**  
(@ Leicester School 8 Members (JK DK AB RP WA BK JeffL JB 2 Hour Each)
- **9/17/2020 LCFFA Meeting @ Nunda Fire Hall**  
(Jim Kane Don Kane Bill Kane 2Hourseach)

## TRAINING

### OLD

- FEMA GRANT– Grants for 2019 rounds are out now summit grant (2/10/2020) no word yet

### OLD

- New Fire Hall – committee info (no report)
- Cancer Bill – to start January 1 2019 village is working with insurance company
- TRAINING– list calendar
- Bryx – please use response mode button either way
- Fire Radio Channel – we are going to use channel 11 for traffic and on scene non critical talk
- dress for weather –
- \_\_\_\_\_ – - Department Training – 1<sup>st</sup> Monday @ 6:30
- DEC Forestry Grant– **(we got the grant we have ordered All the items )** paper work for the grant was turned in to the state (\$3000 Total)(\$1500Grant/\$1500Match)
- New turn out gear – Got Village approval to order 2 set of new turn out gear need to order (2 set were ordered on 6/25/2020 from Churchville fire/Globe)

**NEW - member appreciation party October 23<sup>rd</sup> @ Fire Hall**

### Up Coming Events

- LCFFA MEETING – Thursday October 15th @ Geneseo Fire Hall @ 7:00 PM

<u>EVENT</u>	<u>DATE</u>	<u>Start Time</u>	<u>Leave Time</u>
10/15/2020	Thursday	LCFFA Meeting @ 7:00pm @ Geneseo Fire Hall	
11/4/2020	Wednesday	Fire Police Meeting @ 7:00pm @ Caledonia Fire Hall	
11/19/2020	Thursday	LCFFA Meeting @ 7:00pm @ Sparta Center Fire Hall	
12/17/2020	Thursday	LCFFA Meeting @ 7:00pm @ Hemlock Fire Hall	

Submitted by Leicester Fire Chief James Kane 9/21/2020