

VILLAGE OF LEROY BOARD OF TRUSTEES

Minutes of Regular Meeting held on

February 21, 2024

Village Hall, 3 West Main St., Le Roy, NY

PRESENT: Mayor Gregory Rogers
Trustee Richard Tetrault
Trustee James Bonacquisti
Trustee Raymond Yacuzzo
Trustee William Kettle
ABSENT: DPW Sup. Robert Lathan
OTHERS PRESENT: Jim & Leslie Delooze, Rita Wallace, Dave Tabone, Nancy Crocker, Cindy Lee, Terry Keys, Laura Mancuso, Lori & Jeff Steinbrenner, Nikki Calhoun, Brian Kanaley, Chris Hayward, Brian Quinn (Batavia Daily), Howard Owens (The Batavian)

Chief of Police Gregory Kellogg
Clerk-Treasurer Eileen Carmel
WWTF Supt. Steven Carroll
Municipal Historian Lynne Belluscio

Mayor Rogers called the meeting to order at 7:00 pm, followed by the Pledge to the Flag. He then said there would be a change in the agenda order:

SPECIAL GUEST: After several days of mysterious newspaper, digital news site, and social media posts promising “a unique opportunity to put LeRoy on the map,” Former Mayor Jim Delooze announced “The Joy Project,” a plan by St. Mark’s Church to recreate the look and feel of a 1950s-60s dept. store Christmas display, including animatronic figures, a village and model train display, with the centerpiece a one-of-a-kind diorama depicting scenes from the 1937 radio show, “The Cinnamon Bear.” It will be free to all on weekends from Thanksgiving through Christmas. Mr. Delooze is asking for donations and volunteers to help make this community project a reality. Please contact him at jim@delooze.com or 585-813-5089.

PUBLIC HEARING: Trustee Yacuzzo made a motion to Open the Public Hearing for a Special Use Permit for 47 North St. It was seconded by Trustee Kettle, and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

Brian Kanaley, owner of 47 North St., requested a Special Use Permit for the property in order to operate a multi-family residence. The property is located in an R-2 district and Village zoning (215-28) allows for multi-family residence in an R-2 with a Special Use Permit. Mr. Kanaley applied and paid the application fee and the LeRoy Planning Board recommended granting the permit. It requires a Certificate of Occupancy, which Code Enforcement will provide if the permit is approved. Parking in front and on the side of the building was discussed at length with a difference of opinion regarding Village Code between Trustee Yacuzzo and Code Enforcement Officer Jeff Steinbrenner.

Trustee Bonacquisti made a motion to Close the Public Hearing for a Special Use Permit for 47 North St. It was seconded by Trustee Yacuzzo, and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

ADDED:

Trustee Kettle made a motion to Approve a Special Use Permit for 47 North St. to allow for a multi-family residence in an R-2 zoned district. It was seconded by Trustee Bonacquisti, and passed

with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

APPROVAL OF MINUTES: Trustee Bonacquisti made a motion to approve the minutes of the Board of Trustees meeting on 1/08/24. It was seconded by Trustee Tetrault and passed unanimously.

COMMUNICATIONS: The Board received communications from Scott Miller of Empire Code Services, offering his services as a third-party code services company.

DEPARTMENT CONSIDERATIONS:
LPD, DPW, and WWTF are “all good.”

CLERK-TREASURER:

- Village Elections will be held on March 19th for Mayor and two Trustee positions, each for 4-year terms, at Village Hall, 12 – 9pm
- The next scheduled meetings will be at Village Hall:
 - 3/4/24 – Comprehensive Plan Workshop, 6:30pm
 - 3/20/24 – Regular Board Meeting, 7:00pm
 - Mayor Rogers added a budget meeting to the schedule – 2/26/24 at 6:30pm

OLD BUSINESS:

Amendment to Employee HRA: Trustee Yacuzzo made a motion to Approve and Adopt the following Formal Record of Action and Village of LeRoy Health Reimbursement Account Amendment. It was seconded by Trustee Tetrault, and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

VILLAGE OF LEROY FORMAL RECORD OF ACTION

The following is a formal record of action taken by the governing body of the Village of Leroy (the "Employer").

With respect to the amendment of the Village of Leroy Health Reimbursement Account (the "Plan"), the following resolutions are hereby adopted:

RESOLVED: That the Plan be amended in the form attached hereto which is adopted and approved;

RESOLVED FURTHER: That the appropriate officers of the Employer be, and they hereby are, authorized and directed to execute said amendment on behalf of the Employer;

RESOLVED FURTHER: That the officers of the Employer be, and they hereby are, authorized and directed to take any and all actions and execute and deliver such documents as they may deem necessary, appropriate or convenient to effect the foregoing resolutions including, without limitation, causing to be prepared and filed such reports, documents or other information as may be required under applicable law.

Dated this 21st day of February, 2024.

VILLAGE OF LEROY HEALTH REIMBURSEMENT ACCOUNT AMENDMENT

WHEREAS, the Village of Leroy (the "Employer") maintains the Village of Leroy Health Reimbursement Account (the "Plan") for the benefit of certain of its employees; and

WHEREAS, pursuant to the applicable section of the Plan, the Employer desires to amend the Plan to reflect changes in the funding amounts;

NOW, THEREFORE, the Plan is hereby amended as follows, effective as provided therein:
Effective for Plan Years beginning March 1, 2024:

Administration

☒ Account-Based HRA. The Plan will be administered as an account-based HRA:

a. The Employer will credit an amount to the Participant's HRA for the Period of Coverage as follows:

1. ☐ Discretionary
2. ☐ % of the Participant's Compensation
3. ☐ \$ per Participant
4. ☒ Coverage-Based Amounts:
 - A. Participant Only: \$4,500
 - B. Participant plus 1: \$9,000
 - C. Participant plus tax dependents: _____
 - D. Family: \$9,000
 - E. Other: _____
5. ☐ Other: _____

IN WITNESS WHEREOF, the Employer has caused this Amendment to be executed this 21st day of February, 2024.

NEW BUSINESS:

Dam Inspection: Selective Insurance has renewed the Village's insurance policies this year but want information regarding an updated/new engineering inspection of the Main Street bridge. After a discussion, it was decided that the Village will not get the inspection done due to the prohibitive cost and if that part of the insurance policy is dropped, so be it.

WWTF: Trustee Tetrault made a motion to Approve Adding CPL Engineering Employees to a Village-Only Network for Communication Purposes During Construction Projects. It was seconded by Trustee Yacuzzo, and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

WWTF: Andre Carmel failed to get his performance raise in 2023. **Trustee Bonacquisti made a motion for a Resolution to Credit Wastewater Treatment Plant Operator, Andre Carmel, with a year's experience, Pay Grade 11, at a rate of \$28.84/hour retroactive to 7/31/2023.** It was seconded by Trustee Yacuzzo and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo - Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

Sewer Exclusion Request: **Trustee Yacuzzo made a motion for a Resolution to Approve a Sewer Exclusion in the amount of \$316.80 to Susan Cordaro, 51 Mill St., sewer acct. #16070.** It was seconded by Trustee Kettle and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo - Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

USDA: **Trustee Yacuzzo made a motion for a Resolution to Allow Village Property Access to the USDA to trap for invasive pests, the Box Tree Moth and/or the European Cherry Fruit Fly.** It was seconded by Trustee Kettle and passed with voting as follows: Trustee Tetrault – Aye, Trustee Yacuzzo - Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

CITIZEN PARTICIPATION: None

OFFICIAL CONSIDERATIONS:

Trustee Bonacquisti: Do we have an update on the Main Street Bridge drainage? We [DPW] drilled holes because there was no remedy by others. Did it help? Mayor Rogers said it did and will help for a while but if the holes aren't cleaned out, it won't.

Trustee Kettle: Thanked Steve Carroll for the tour of the WWTF and the updated facilities.

Trustee Tetrault: Wanted to let everyone know he's going on vacation for a couple weeks from March-April.

Trustee Yacuzzo: He talked to Sup. Lathan about striping parking spaces on Main St. and parking lots. It'll depend on DOT [for Main St. portion].

Mayor Rogers: Thanked Jim and Leslie Delooze for trying to find ways to make LeRoy better.

AUTHORIZATION TO PAY BILLS:

Trustee Bonacquisti made a Motion to Pay Bills, reluctantly, retroactive to 2/11/24. It was seconded by Trustee Tetrault and passed unanimously. Payment is as follows:

General Fund: Auto payments and check numbers 26734-26754 totaling \$96,210.59.

ADJOURN:

There being no further business before the Board, **Trustee Kettle made a motion to adjourn**, seconded by Trustee Yacuzzo and passed unanimously. Meeting adjourned at 7:42pm.

Respectfully submitted, Eileen Carmel, Clerk-Treasurer