

VILLAGE OF LEROY BOARD OF TRUSTEES

Minutes of Regular Meeting held on
March 20, 2024

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

PRESENT: Mayor Gregory Rogers
Trustee James Bonacquisti Clerk-Treasurer Eileen Carmel
Trustee Raymond Yacuzzo WWTF Supt. Steven Carroll
Trustee William Kettle

ABSENT: Trustee Richard Tetrault, Chief of Police Gregory Kellogg, DPW Sup. Robert Lathan, Municipal Historian Lynne Belluscio

OTHERS PRESENT: Eric Weis, CPL Engineer, and Chris Englert, Keystone Novelties

Mayor Rogers called the meeting to order at 7:00 pm, followed by the Pledge to the Flag.

Mayor Rogers said he talked to Town Supervisor, Jim Farnholz, who has been hospitalized, that he sounds stronger, and the plans are for him to come home in early April. He then asked for a moment of silence for Genesee County Deputy Tom Sanfratello, who passed away in the line of duty earlier this month.

APPROVAL OF MINUTES: Trustee Yacuzzo made a motion to approve the minutes of the Board of Trustees meeting on 2/26/24 and 3/4/24. It was seconded by Trustee Bonacquisti and passed unanimously.

COMMUNICATIONS:

The Board received a thank you letter from the Town and Country Garden Club of LeRoy for their support and financial backing. The Garden Club is planning an anniversary celebration, which Trustees Kettle and Bonacquisti will attend.

ADDED:

RESOLUTION HONORING
THE TOWN AND COUNTRY GARDEN CLUB OF LEROY

MOTION BY Trustee Yacuzzo

WHEREAS a visitor’s first impressions on entering a community are important and lasting, and while the Village of LeRoy is favored with resources such as the picturesque Oatka Creek and small-town Main Street America architecture, it also needs a warm, welcoming appearance to strengthen that good first impression, and

WHEREAS the Village of LeRoy is blessed to have an organization like the Town and Country Garden Club of LeRoy, whose members have generously volunteered their time and energy to enhance the Village of LeRoy with floral and decorative displays that delight residents and visitors alike, **NOW THEREFORE**

BE IT RESOLVED that the Village of LeRoy Board of Trustees takes this opportunity, the Town and Country Garden Club of LeRoy’s 70th Anniversary Celebration, to honor the club and its members for their hard work and dedication to the beautification of LeRoy’s Main Street and green spaces.

SECONDED BY Trustee Kettle and on a call of votes Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, Mayor Rogers – Aye, unanimously carried.

At this point, Mayor Rogers thanked CPL Engineer Eric Weis for coming to the meeting and asked him to explain what was going on with the Wastewater Treatment Facility.

EFC Approval for Engineering Report and plans for Phase 3 of the WWTF project: Mr. Weis said that NYS Environmental Facilities Corporation has approved the plans for the Phase 3 (digestion) part of the WWTF project.

Agenda rearranged from this point on:

OLD BUSINESS:

Prefab Bldg - Getterr Done Construction Pay App #1 for \$6,310.80: Mr. Weis said that this is the standard first progress payment of 10% of the cost.

WWTF Phase 1 Kaplan-Schmidt No Cost Change Order EC-2: This is just to adjust contract times to start the warranty period for equipment.

WWTF Phase 1 Certificate of Substantial Completion Kaplan Schmidt Apr. 6, 2022: and WWTF Phase 1 Certificate of Substantial Completion Kaplan Schmidt Nov. 3, 2023: The two backdated Certificates of Completion were because CPL didn't get the paperwork done at the time and basically this separates the new generator and fuel tanks from the rest of the job.

WWTF Phase 3 Resolution for Bid Acceptances and Authorization of Change Orders for STC Construction and Infinity Electric Services: Bids were opened in January, but they came in over budget. WWTF Supt. Carroll and Engineer Casey DeGraff worked with the two contractors so that everyone agreed on several cost saving value engineering items. The proposed total construction budget was established at \$1,499,800 of which \$50,500 was allocated for allowances. The deduct of these value engineering items would be implemented through the change orders. Trustee Yacuzzo asked what was the difference? Mr. Weis said that system automation was taken out of the plan, though it can be added back later. They had to cut \$500,000 to get it within budget. Could get an annual chemical savings of 60% if go whole scale (chemicals cost \$60,000/yr.) but it would take 12-14 years for payback, which isn't good. There are new grants possible, but CPL has to redo the project budget.

RESOLUTION TO AWARD BID & CONTRACT

WWTF PROJECT PHASE 3 – AERATION, BLOWER, MISC IMPROVEMENTS

WHEREAS the Village of LeRoy received bids on January 10, 2024, for the LeRoy WWTF Project Phase 3 – Aeration, Blower, and Misc Improvements for the Village of LeRoy Wastewater Treatment Facility located at 7500 Red Mill Road, LeRoy, NY 14482; and

WHEREAS STC Construction, Inc. and Infinity Electric Services, Inc. were the lowest responsible bidders for the General Construction and Electrical Construction contracts, respectively, at a cost of \$1,897,200 and \$90,000, respectively, for the Base Bid; and

WHEREAS Village Engineers, CPL, completed a review of the low bidders and the bid tabulation (attached) and, based on the low bid amounts, the total amount for construction of the project is \$1,987,200, which is over the budgeted amount; and

WHEREAS CPL, STC Construction, Inc., Infinity Electric Services, Inc., and Steve Carroll (Chief Operator), agreed on several cost-saving value engineering items resulting in establishing the proposed total construction budget at \$1,499,800, with \$50,500 allocated for allowances, which will be deducted through change orders immediately following award of the contracts;

NOW THEREFORE BE IT RESOLVED, the Village of LeRoy Board hereby awards the bid received from STC Construction, Inc. in the amount of \$1,897,200 and authorizes Change Order No. GC-01 with a deduct amount of \$456,900, contingent upon concurrence of award by the NYS Environmental Facilities Corporation, and hereby awards the bid received from Infinity Electric

Services, Inc. in the amount of \$90,000 and authorizes Change Order No. EC-01 with a deduct amount of \$30,500, contingent upon concurrence of award by the NYS Environmental Facilities Corporation, and delivery from the bidder of a fully-executed Agreement and Contract insurance and bonding being in place; and

BE IT FURTHER RESOLVED, the Village of LeRoy Board of Trustees hereby authorizes Mayor Rogers to execute the agreements with STC Construction, Inc. and Infinity Electric Services, Inc. and to issue the Notice to Proceed once the conditions are met.

Trustee Yacuzzo made a motion for a Resolution to approve and award the following:

- **Getterr Done Construction Pay App #1 for \$6,310.80**
- **Kaplan-Schmidt No Cost Change Order, EC-2**
- **WWTF Phase 1 Certificate of Substantial Completion Kaplan Schmidt, Apr. 6, 2022**
- **WWTF Phase 1 Certificate of Substantial Completion Kaplan Schmidt, Nov. 3, 2023**
- **WWTF Phase 1 Kaplan-Schmidt Electric, Contractor Pay App #17-FINAL \$27,371.25**
- **AWARD BID & CONTRACT, WWTF PROJECT PHASE 3 – AERATION, BLOWER, MISC IMPROVEMENTS**

It was seconded by Trustee Bonacquisti, and passed with voting as follows: Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

Mr. Weis said that we'll reapply with the solids handling, the grant application is due June 14th and so we'll do a resolution in May for it.

He also said that the plans for the sidewalk ramp near the Main Street bridge for drainage are now with NYS DOT for approval.

Mayor Rogers spoke with a sales rep regarding adding solar panels to a building roof at the WWTF. Trustee Yacuzzo advised caution. Trustee Bonacquisti asked where the components go when done and Supt. Carroll said the company takes care of disposal. Mr. Weiss mentioned the need to maintain the roof on which the panels are installed. In the end, it would cost too much upfront and take too long to see a return on the investment.

WWTF Roof Repair: The Village has received a proposal from EagleHawk One, Inc. for a thermal roof inspection of one of the WWTF roofs for \$1950. Mr. Weis explained it's a thermal scan to check for moisture penetration and recommended that the Village not pay more than \$2,000 for it. **Trustee Yacuzzo made a motion to Approve the Proposal from EagleHawk One, Inc. to Perform a Thermal Scan of the WWTF Process Building roof, not to exceed \$2,000.** It was seconded by Trustee Bonacquisti, and passed with voting as follows: Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

Bob Johnson Dedication Resolution: Mr. Weis said Bob Johnson provided everything to CPL for the project and paid the bills and believed they were operational already. Clerk-Treasurer Carmel verified that the hookup to the Village sewer system was completed in December. Mayor Rogers said the dealership has requested a portion of the fee the Village collects for each additional hookup to the new part of the sewer line.

SECOND RESOLUTION FOR BOB JOHNSON CHEVROLET PUBLIC SEWER DEDICATION

On motion of Trustee Kettle, seconded by Trustee Bonacquisti, the following resolution was adopted by the Board of Trustees of the Village of LeRoy, New York:

March 20, 2024 – 3

Whereas, on May 1, 2023, the Village of LeRoy (Village) passed a resolution and on May 17, 2023, passed an amended resolution authorizing the installation of a sewer line and connection to the Village public sewer line to service tax parcel ID 29.-1-10.11, owned by 7000 West Main LeRoy LLC (Owner);

Whereas, said resolution included eight (8) contingent conditions; and

Whereas, conditions one (1) through two (2), four (4) through six (6) and eight (8) have been completed, leaving conditions three (3) and seven (7) outstanding; and

Whereas, Village and Owner desire to formally proceed with completion of this project.

Now Therefore Be It Resolved, that:

1. Owner hereby dedicates the sewer line that Owner installed to Village.
2. Village hereby accepts dedication of the sewer line, subject to approval by resolution of the Town of LeRoy (Town).
3. Once the Village formally accepts dedication and the Town approves the dedication, condition three (3) of the May 1, 2023 will be satisfied.
4. Village confirms that Owner has, or will, reimburse Village and Town for all legal and engineering expenses.

VOTE

AYES: Trustee Yacuzzo, Trustee Kettle, Trustee Bonacquisti, Mayor Rogers

NOES:

ABSENT: Trustee Tetrault

DATE: March 20, 2024

The Board thanked Engineer Weis and he left the meeting at this point.

**RESOLUTION TO AMEND AND APPROVE THE SNOW AND ICE AGREEMENT
CONTRACT SUPPLEMENTAL AGREEMENT NO. 3 TO CONTRACT NO. D014780 WITH
NEW YORK STATE**

MOTION BY: Trustee Yacuzzo

WHEREAS, the Board of Trustees of the Village of LeRoy, New York on March 20, 2024, enacts a resolution to amend and approve the Snow and Ice Supplemental Agreement No. 3 to Contract No D014780 between the State of New York and the Village of LeRoy for snow and ice control, for the 2023-2024 season, in the amount of \$41,961.83.

SECONDED BY: Trustee Bonacquisti, and on a call of votes:

Ayes: Trustee Yacuzzo, Trustee Kettle, Trustee Bonacquisti, Mayor Rogers

Noes: None

Absent: Trustee Tetrault

Abstain: None

Date: March 20, 2024

**RESOLUTION TO AWARD BID AND CONTRACT
FOR COLLECTION AND DISPOSAL OF REFUSE AND RECYCLABLES**

MOTION BY: Trustee Bonacquisti

WHEREAS the Board of Trustees authorized the Clerk-Treasurer to advertise and receive bids for Collection of Refuse and Recycling, and

WHEREAS said bids were received on March 19, 2024, and the only bidder was Waste Management of New York, LLC, with a total annual cost for route collection, recycling, and landfill fee of \$283,000, for

a one-year period from April 1, 2024 – March 31, 2025, with possible extension of the agreement up to two years, and

NOW THEREFORE BE IT RESOLVED the Board of Trustees hereby awards the bid received from Waste Management of New York, LLC, in the amount of \$283,000, contingent upon delivery from the bidder of a fully executed agreement and contract insurance and bonding being in place.

SECONDED BY: Trustee Kettle, and on a call of votes:

Ayes: Trustee Yacuzzo, Trustee Kettle, Trustee Bonacquisti, Mayor Rogers

Noes: None

Absent: Trustee Tetrault

Abstain: None

Date: March 20, 2024

NEW BUSINESS:

Schedule Public Hearing: **Trustee Yacuzzo made a motion for a Resolution to Schedule a Public Hearing on April 15, 6:30PM at Village Hall, 3 West Main St., regarding the Tentative Village Budget for fiscal year 2024-25.** It was seconded by Trustee Bonacquisti, and passed with voting as follows: Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

Festival Permits: **Trustee Bonacquisti made a motion for a Resolution to Approve a Festival Permit for the LeRoy Little League Parade on 4/20/24, 9:00 AM step off.** It was seconded by Trustee Yacuzzo, and passed with voting as follows: Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye. **Trustee Kettle made a motion for a Resolution to Approve a Festival Permit for the LeRoy Farmers Market in Trigon Park for Saturdays, 9:00 AM – 12:30 PM 6/8/24 – 10/5/24.** It was seconded by Trustee Yacuzzo, and passed with voting as follows: Trustee Yacuzzo – Aye, Trustee Kettle – Aye, Trustee Bonacquisti – Aye, and Mayor Rogers – Aye.

DEPARTMENT CONSIDERATIONS:

WWTF:

- Supt. Carroll said they were doing well. The two contractors are finishing the UV System. For the new clarifier, they are grinding the floor and it looks pretty good. They'll be coating the floor as well.
- Trustee Yacuzzo asked what the Village has gotten for salvage during the project. Supt. Carroll stated that the Board made resolutions to give the salvage to "Scrapper Don" and that it wasn't much, just some galvanized strips.

CLERK-TREASURER:

- The next scheduled meetings will be at Village Hall:
 - Mayor Rogers added a budget meeting to the schedule – 3/26/24 at 6:30pm
 - 4/15/24 – Budget Public Hearing and Annual Organizational Meeting, 6:30pm
- Board Member Vacations – Trustee Yacuzzo 4/16-4/27ish, Mayor Rogers 3/27-4/13, Trustee Kettle 3/29-4/5.

CITIZEN PARTICIPATION: Chris Englert, Regional Director of Keystone Novelties Distributors, LLC wanted the opportunity to apologize regarding the problems the Village had with their fireworks tent clerk two summers ago. He wasn't aware of the situation until much later after it happened and had he known, the tent clerk would have complied, or he would have shut the tent down. He asked if the

Board would reconsider allowing the fireworks tent this summer. The Mayor thanked him and the Board was in favor of allowing the fireworks tent this year. Mr. Englert thanked the Board and left the meeting.

OFFICIAL CONSIDERATIONS:

Trustee Bonacquisti: He asked if there was any kind of resolution regarding the “campground” by the Royals. It’s with Code Enforcement now. He asked if there’s anything we can do about all the panhandlers in the Village. Trustee Yacuzzo suggested the Village Attorney be consulted. Mayor Rogers asked Trustee Bonacquisti if he would speak to Jake Whiting about it.

Mayor Rogers: He’s been asked about trailers and campers in resident’s driveways. The Board agreed it was hard to police that.

Trustee Kettle: There were worksheets that needed to be completed for the County Hazard Mitigation Plan by March 15th. The mayor thought Chief Kellogg had completed those. He also wanted to congratulate the three guys on their reelections [Mayor Rogers, Trustee Yacuzzo, and Trustee Bonacquisti].

Trustee Yacuzzo: He’s received numerous resident complaints regarding Lake St. and asked that the Village write a letter to the state DOT requesting their attention.

AUTHORIZATION TO PAY BILLS:

Trustee Yacuzzo made a Motion to Pay Bills, reluctantly, retroactive to 3/6/24. It was seconded by Trustee Bonacquisti and passed unanimously. Payment is as follows:

General Fund: Auto payments and check numbers 26773-26808 totaling \$125,029.02.

ADJOURN:

There being no further business before the Board, **Trustee Bonacquisti made a motion to adjourn**, seconded by Trustee Kettle and passed unanimously. Meeting adjourned at 7:58pm.

Respectfully submitted, Eileen Carmel, Clerk-Treasurer