

## Official Minutes

A joint meeting of the Town and Village Boards of the Town of Lima, County of Livingston and the State of New York was held at the Town Hall, 7329 East Main Street, Lima, New York, on the 26th day of June 2019 at 7 PM. Notice published in the Sentinel.

PRESENT: Supervisor, Michael Falk  
Deputy Supervisor, Ian Adams  
Councilperson, Dan Marcellus  
Councilperson, Cathy Gardner  
Councilperson, Bruce Mayer  
Councilperson, Bill Carey  
Town Clerk, Jennifer Heim, CMC/RMC  
Highway Superintendent, Keith Arner  
Mayor, Carl Luft  
Village Trustee, John Correll  
Village Trustee, Jerry Warsaw  
Village Trustee, John Wadach

Excused: Department of Public Works, Ben Luft  
Town Attorney, Jim Campbell  
Village Attorney, Steve Kruk  
Village Trustee, Joe Schwing

Guest(s): Aaron Lehman, John Skiptunas – arrived at 7:30 PM

Supervisor Falk called the meeting to order at 7 PM with the Pledge of Allegiance.

### **Open Public Hearing to Unveil the New Mark Tubbs Park Improvement Design**

Supervisor Falk opened the public hearing to unveil the new Mark Tubbs Park Improvement Design at 7 PM.

A Lima Town Park Master Plan Addendum 1, 2019 park schematic design map and estimated improvement costs were distributed to members.

Correll's estimated cost sheet showed the following:

Upgrades to park:

Bathrooms	\$50K
Pavilion Tables	\$15K
Sidewalk	\$18K
Playgrounds	\$75K
Parking Lot	\$25K
Signage	\$20K
Dog Park	\$70K

Total: \$273K

Contributions to park:

Town	\$35K
Village	\$35K
In-Kind	\$30K

Total: \$100K

Correll mentioned the Village will be applying for the CFA grant from New York State which is a 1:1 matching grant. Correll asked members their thoughts as to importance on his list in order to apply for the \$200,000 grant. After discussion boards were in agreement for improvements on bathrooms, pavilion tables, sidewalks, enhanced playgrounds and a dog park. They agreed to upgrade at a later date the signage and parking lot.

Aaron Lehman of Environmental Design and Research stated when applying for the grant an engineer will come in to review updates the town and village are seeking and may quote a lesser amount than the current estimate above.

Aaron Lehman will send an updated addendum 1 to both boards. Town Board meets in July 2<sup>nd</sup> and will review same at that time.

Warsaw asked what the timeline was to complete the grant and project. Correll stated the grant announcement is usually announced around election time. The village will know by December 1<sup>st</sup> whether they received the grant or not.

Correll thanked John Skiptunas for being part of the steering committee, also for his input and representation of the Rotary.

### **Employee Handbook**

Per Marcellus, this item will be tabled until after the park update project.

### **Bleachers**

Discussion was held regarding bleachers at the park and how to fix them to meet NYMIR (insurance) requirements. Wadach mentioned the bleachers are in the wrong location, facing west, causing spectators to bring their chairs and sit on the opposite side to avoid the sun.

Discussion was held whether to fix or remove two of the bleachers from the park. It was mentioned bleachers do get used for the other functions other than baseball games, such as the Fourth of July celebration. After discussion it was agreed to leave the bleachers, however, putting rails and backrests on all four for insurance purposes per their request. Upon motion by Councilperson Carey to put backrest rails on the four bleachers and keep them in place, seconded by Trustee Warsaw, the vote went as follows:

CARRIED

Ayes: 10    Falk, Marcellus, Gardner, Mayer, Carey, Luft,  
Correll, Warsaw, Wadach

Nays: 0

### **IT Services for the Town and Village of Lima**

The Town is waiting for five companies (Lyte Speed Computers, Just Solutions, CE Techno, Capstone IT and Hurricane Technologies) to submit rates/pricing for provisions of information technology managed security services.

Per Falk, to-date Capstone has submitted their quote and they will be meeting to discuss services. The deadline to submit quotes is July 29<sup>th</sup> at 2 PM, therefore, the above companies still have time.

### **Dog Control Code**

Falk asked Luft if there was an update. Luft said he thinks Attorney Kruk thinks he has no duty on this topic.

Gardner mentioned that Attorney Campbell drafted a regulation, and looked at the village regulation to see if there were enough similarities, as dogs walk back and forth between both town and village, to have said code similar and work with Kruk on this matter.

Falk will speak to Attorney Campbell for an update to complete same or removed from the agenda.

### **Close Public the Hearing**

Upon motion by Councilperson Mayer to close the public hearing at 7:50 PM, seconded by Councilperson Carey, the vote went as follows:

CARRIED

Ayes: 10    Falk, Marcellus, Gardner, Mayer, Carey, Luft,  
Correll, Warsaw, Wadach

Nays: 0

Falk mentioned each board will be working on the master plan in their individual meetings and no action to adopt at this time.

### **Baseball League**

Per Correll he received a request from the baseball league regarding repainting or re-staining the chow hut and repainting the sign. After discussion the boards asked that the league stick with a neutral color scheme and offer smaller signage.

### **Village Water Project**

Wadach mentioned the "T" pipe installation near Heath Markham will cost 5 times more than anticipated for infrastructure improvements per the Health Department requirements and expressed his disinterest in completing this specific connection of the project. Gardner said when they had discussion the original expense was going to be up to \$1,000 and that is something the Town could possibly do but if the cost is now \$5,000 she is not in favor and suggested not to complete the install of the "T" pipe at this time, but, to defer same to such time that is feasible to have a potential district there.

Mayor Luft said they reason of the increase is they just received numbers for the pressure, the flow in the hydrants and tower, which are key components. For an emergency transmission line the PSI is acceptable but if the water is

going to feed houses there is different criteria to meet, being water pressure would need to be more substantial.

Falk reiterated what Luft said in order to be clear that given the design, as built when finished, the system will never be able to be the supply source for the Village. Luft said not to supply homes but for emergency supply only.

Marcellus asked if the water will then be turned off and Luft said it will only be on for emergency use and maintenance, such as flushing hydrants.

Wadach confirmed the line will be closed to Avon accept for emergencies.

Wadach said he does not want to entertain out-of-districts users as it would cost a couple hundred thousand to put in a pumping station.

Upon motion by Councilperson Gardner, upon additional information received at the meeting pertaining to increased cost, to not install the "T" due to the extra cost, seconded by Councilperson Mayer, the vote went as follows:

CARRIED            Ayes: 5      Falk, Marcellus, Gardner, Mayer, Carey  
                             Nays: 0

### **Solar Permit Fees**

Wadach asked if the Town established fees for solar installations. Falk mentioned fees are not yet in place and only two surrounding towns, after research, supplied information that they have set fees.

Wadach was not in favor of the town charging the village a permit fee for solar installations at the ambulance facility. After discussion it was agreed to charge the installation company \$500 per acre to install solar panels at the ambulance facility and not to charge park fees of \$500. Wadach asked if they would be taxed as he spoke with Assessor Snyder and she said they would not because the village is not selling the power. Falk confirmed, per a discussion with Assessor Snyder the property will not be taxed as they will not be making a profit.

Mayer asked for confirmation that each board will be budgeting \$5000 each year for the park. It was agreed.

### **Splash Pad at Mark Tubbs Park**

Trustee Correll mentioned Aaron Lehman did not add the splash pad to the addendum or into the design because of the constraints of the water and sewer system being able to handle the output.

Mayer said this may be something for the future.

Falk mentioned they are expensive to put in and the only way to avoid the listeria would be to flush fresh water in and out and it appears our infrastructure cannot handle it.

Upon motion by Councilperson Carey to adjourn at 8:30PM, seconded by Councilperson Mayer, the vote was unanimous.

Respectfully Submitted by:

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Jennifer Heim, CMC/RMC  
Lima Town Clerk