

TOWN OF LEICESTER
REGULAR BOARD MEETING
TUESDAY, JUNE 17, 2014
7:00 P.M.

The Regular Meeting of the Leicester Town Board was held on Tuesday, June 17, 2014 at 7:00 p.m. at the Leicester Town Hall.

Present Lisa Semmel, Supervisor; Matt Durbin, Joni Santucci, Karen Roffe and Dave Fanaro, Councilpeople; Mary Yasso, Clerk; Russ Page, Highway Superintendent and Jim Campbell, Attorney.

Others Jerry Parsons, Zoning Officer; Jim and Don Kane, Sandy Vreeland, Toni Pendergast, Bev Hart, Dennis Moore and Dave Bojanowski from the Conservancy.

The meeting was called to order by the Supervisor and the pledge to the flag was led by Joni Santucci.

Dave Bojanowski Dave Bojanowski from the Conservancy is requesting letters of support for Moore Farms and Old Acres Farms. This would allow them to enter into a conservation easement to protect their land from development if accepted. Motion was made by Karen Roffe and seconded by Matt Durbin to do letters of support for both farms. Motion Carried, Ayes 5 Noes 0.

Minutes A motion was made by Matt Durbin and seconded by Dave Fanaro to approve the minutes from the May 20, 2014 Regular Meeting and the June 10, 2014 Work Meeting. Motion Carried, Ayes 5, Noes 0.

Financial Report and Mid Year Transfers A motion was made by Karen Roffe and seconded by Joni Santucci to approve the financial report and the following mid year transfers:

GENERAL FUND-TOWNWIDE

UNANTICIPATED REVENUE

<i>Transfer From:</i>	A2770	Direct Pay - Health Ins	\$ 4,393.88
			<hr/>
		TOTAL:	<u>\$</u> <u>4,393.88</u>

<i>Transfer To:</i>	A9060.8	Hospital Medical Insurance	\$ 4,393.88
			<hr/>
		TOTAL:	<u>\$</u> <u>4,393.88</u>

GENERAL FUND-OUTSIDE

VILLAGE

UNANTICIPATED REVENUE

<i>Transfer</i>			\$
<i>From:</i>	B1170	Franchise Fees	90.40
			<hr/>
			\$
		TOTAL:	90.40
			<hr/> <hr/>

<i>Transfer</i>			\$
<i>To:</i>	B9060.8	Hospital/ Med Insurance	90.40
			<hr/>
			\$
		TOTAL:	90.40
			<hr/> <hr/>

**HIGHWAY FUND-
TOWNWIDE**

UNANTICIPATED REVENUE

<i>Transfer</i>			\$
<i>From:</i>	DA2770	Miscellaneous	11.58
			\$
	DA2770	Miscellaneous	1,310.65
		Unexpended Balance	<hr/>
			\$
		TOTAL:	1,322.23
			<hr/> <hr/>

<i>Transfer</i>			\$
<i>To:</i>	DA5142.4	Snow Removal Town Contr.	11.58
			\$
	DA9901.9	Interfund Transfer	1,310.65
			<hr/>
			\$
		TOTAL:	1,322.23
			<hr/> <hr/>

WATER DISTRICT

UNANTICIPATED REVENUE

<i>Transfer From:</i>	SW2140	Metered Sales	\$
			4,729.59

\$
TOTAL: 4,729.59

<i>Transfer To:</i>	SW1990.4	Contingency	\$ <u>4,729.59</u>
			\$ TOTAL: <u>4,729.59</u>

Motion Carried, Ayes 5, Noes 0.

Highway Superintendent

- Assisted Bob Smith at the cemetery trimming tree limbs.
- Hauling in and stockpiling surface treating stone.
- Did the 2nd of two brush pickups for the Village.
- He attended highway school in Ithaca.
- Grading roads with a few left to do.
- Repaired the “Welcome to Leicester” sign and put back up at the Geneseo line.
- Mowing roadsides.
- Helped the Town of Mt. Morris haul stone to their grinding project on Ridge Rd. off from Rte. 408.
- Helped the Livingston County Highway Department oil and stone a portion of River Rd. in Caledonia.
- Cleaned out a plugged cross over pipe at Jones Bridge Rd. at Dutch Corners Rd.
- Cleaned up ruts, cleaned out catch basins and unplugged the storm drain at the Leicester School for the Village.
- Black topped the cross over pipes on River Rd. that we changed earlier this year and the area of the water break on Brown Rd.
- Relandscaped Smitty’s yard from filling in the meter pits last fall at the corner of Jones Bridge Rd. and Upper Mt. Morris Rd. for the Village.
- Had valve boxes to dig up and repair along Caledonia Rd. at High St. and Brown Rd. at River Rd.
- Had a review of the water meter pit on Caledonia Rd. with the Town Engineer, Lisa Semmel and Dave Fanaro.
- Calibrated the water salesman at the Town Barn. Close to \$6.50 per 1,000 gallons of water.

He will meet with the Supervisor tomorrow to go over quotes for road projects this summer for CHIPS. The Village has several projects for this summer.

Mail The Supervisor had a thank you letter from Barb Christiano Ayers for removing the trees across the street from the Town Hall.

Letter from the Town of Geneseo that they are holding a public hearing on June 23, 2014 for a railroad spur extension.

Cemetery It was decided to get a sign for the pump at the cemetery stating “Do not drink the water”.

Zoning Officer

- There are 17 permits for 2014.
- There were 37 for 2013 with 25 complete
- 46 total permits for 2012 with 4 left open.

- 35 total permits for 2011 with 1 left open.
- On June 30, 2013 at 6:00 there is a Zoning meeting for Mr. Mastrolino on Rt. 36. He is subdividing his property again and doesn't have enough road frontage for the proper sale. He would need 200' of frontage and has 129 on one section and 86' on the other.
- He will be sending letters to all Zoning members regarding their hours. He has not received any hours to date. He has contacted Mary Underhill to send him an updated copy of the hours.
- 5530 Mt. Morris Rd. – still no response from him or his attorney. He came to court this month early and avoided the judge he was supposed to see.
- He has sent out 32 violation letters. Some have been corrected.
- He had done 10 fire inspections to date. Some will need a second inspection to correct issues he found.
- Right away in Cuylerville – he took a look at it and depending on how wide the road is and right away is on the side. There are 2 fences on either side, a shed in a backyard this will possibly have to be moved.
- It was decided to share the use of the Zoning Computer Program with the Village.

Water Contract With the Town of York Waiting for costs.

Local Law #1 for 2014 – Local Law #1 for 2014 – A local law to protect the Town of Leicester public potable water supply from cross contamination was presented to the Board. A motion was made by Matt Durbin and seconded by Karen Roffe to set a public hearing on the law for July 15, 2014 at 7:00 p.m. Motion Carried, Ayes 5, Noes 0.

RESOLUTION OPPOSING EXPANSION OF FEDERAL CONTROL UNDER CLEAN WATER ACT

WHEREAS, the U.S. Environmental Protection Agency (EPA) and the Army Corps of Engineers (Corps) have released a 371 page draft regulation for Definition of Waters of the U.S. under the Clean Water Act; and

WHEREAS, both agencies are seeking a rule change to give the federal government more authority by expanding the definition of “navigable waters” in the Clean Water Act; and

WHEREAS, the rule change proposed by the EPA and the Corps would subject almost all physical areas with a connection to downstream navigable waters – including features such as ditches, natural or man-made ponds and flood plains – to the jurisdiction of the Clean Water Act; and

WHEREAS, the proposed rule change, if adopted will cause significant harm to local farmers, stall the development of businesses, take control of land used for sustainable food production out of our local providers' hands, and negatively impact Town-owned and maintained infrastructure such as roadside ditches and flood-control channels; and

WHEREAS, the cost to our farms, municipalities and taxpayers will be enormous; and

WHEREAS, the New York Farm Bureau, the National Association of Counties (NACo) and the National Association of County Engineers (NACE) oppose the proposed rule changes; and

WHEREAS, it is impractical for the federal government to regulate every ditch, pond and rain puddle that may have tenuous connection – miles away – to a body of water currently defined as ‘navigable’.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Leicester hereby strongly opposes the EPA and Corps expansion of the Clean Water Act, as proposed.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this Resolution to the Environmental Protection Agency, the Army Corps of Engineers, U.S Senator Gallivan, U.S. Congressman Collins, N.Y.S. Governor Cuomo, N.Y.S. Senator Bonacic, Assemblyman Nojay, the National Association of Counties, N.Y.S. Association of Towns, The New York Farm Bureau, and the N.Y.S. County Highway Superintendents Association.

Adopted the 17 day of June, 2014

Moved by: Dave Fanaro

Seconded by: Matt Durbin

The members of the Town Board voted as follows:

Semmel Aye
Santucci Aye
Fanaro Aye
Durbin Aye
Roffe Aye

Animals and Solicitation There was discussion on a dog law and a solicitation law which was forwarded to Karen Roffe to look into adding to Zoning Ordinance.

Audit Bills

A motion was made by Dave Fanaro and seconded by Joni Santucci to pay the following bills as audited:

General Fund A	Claim #'s 140 – 168	
General Fund B	Claim # 11	\$15,702.06
Street lighting	Claim # 6	\$ 511.29
Highway Fund DA	Claim #'s 65 – 74	
Highway Fund DB	Claim #'s 40 – 46	\$10,373.73
OLCWD Fund	Claim #'s 33 – 35	\$ 677.54

Motion Carried, Ayes 5, Noes 0.

Executive Session A motion was made by Matt Durbin and seconded by Joni Santucci to go into Executive Session to discuss Personnel. Motion Carried, Ayes 5, Noes 0.

No action taken.

Regular Session A motion was made by Joni Santucci and seconded by Dave Fanaro to go back to Regular Session. Motion Carried, Ayes 5, Noes 0.

Caledonia Road Water Resolution A motion was made by Karen Roffe and seconded by Dave Fanaro to adopt the following resolution:

CLASSIFYING THE CALEDONIA ROAD WATER MAIN CONNECTION, CALEDONIA ROAD, IN THE TOWN OF LEICESTER AS AN UNLISTED ACTION PURSUANT TO 6 NYCRR 617

REGARDING THE STATE ENVIRONMENTAL REVIEW PROCESS CERTIFICATION

BE IT RESOLVED BY THE LEICESTER TOWN BOARD AS FOLLOWS:

WHEREAS, the goal of this project is the connection of the existing water main along Caledonia Road and the change in source point to the Town of York, and

RESOLVED, that the Town of Leicester hereby classifies the Caledonia Road water main connection as an Unlisted action pursuant to 6 NYCRR part 617, and be it further

RESOLVED, that based on the classification of this action as an Unlisted action, a Short Form Environmental Assessment Form has been completed and the Town has determined that no further environmental review of this Proposed Action is required under SEQRA.

This resolution shall take effect immediately,

Voted on and approved, Yes-____, No-____,

Lisa Semmel	Aye
Matthew Durbin	Aye
David Fanaro	Aye
Karen Roffe	Aye
Joni Santucci	Aye

Adjournment A motion was made by Karen Roffe and seconded by Matt Durbin to adjourn the meeting at 8:57 P.m. Motion Carried, Ayes 5, Noes 0.

Respectfully Submitted,

Mary Yasso
Town Clerk