

Regular Meeting of the Town Board of the Town of LeRoy held on Thursday, May 11, 2023 at 7:00 PM in the Boardroom of the Town Hall, 48 Main Street LeRoy, New York.

Members Present: James Farnholz, Supervisor
David Paddock, Council
John Armitage, Council
William Fox, Council
John Johnson, Council

Absent: Eric Stauffer, Highway Supt.
Patricia A. Canfield, Town Clerk

Recording Secretary: Mary Margaret Ripley

Others Present: Eileen Dries – Community Member
Police Chief Gregory Kellogg,
Glenn Thornton – Engineer – Rt 5 Self Storage

Supervisor Farnholz called the regular meeting to order at 7:00 PM followed by approval of the minutes of the meeting of April 27, 2023 on **MOTION** by Councilman Armitage and seconded by Councilman Johnson motion passed with voting as follows: Council Johnson, Armitage and Fox – aye; Supervisor Farnholz and Council Paddock – abstain.

PUBLIC HEARING:

Supervisor Farnholz read the following notice of public hearing:
PLEASE TAKE NOTICE, the Town Board of the Town of LeRoy will hold a public hearing on May 11, 2023 at 7:00 PM in the Boardroom of the Town Hall, 48 Main Street, LeRoy, NY to hear any and all questions regarding the special use permit application submitted by Jeff Cook, NYS Rte 5 Self Storage, LLC to operate an outdoor storage area for recreational vehicles (RVs) and boats at an existing self-storage facility located at 7054 West. Main Road, LeRoy, NY. Questions regarding the hearing can be directed to the Zone and Code Office at 768-6910 ext 223 and 243 or by attending the hearing.
By Order of the Town Board, Patricia A. Canfield, Town Clerk

On **MOTION** by Supervisor Farnholz and seconded by Councilman Armitage and passed unanimously to open the public hearing for comments at 7:01 PM:

Hearing no comments brought forward on MOTION by Supervisor Farnholz and seconded by Councilman Paddock and passed unanimously to close the public hearing at 7:02 PM.

Special Use Permit by applicant Jeff Cook, NYS Rte 5 Self Storage, LLC, 7054 West Main Road, - operation of an outdoor storage area for recreational vehicles (RVs) and boats at existing self-storage facility.

On **MOTION** by Councilman Armitage and seconded by Councilman Paddock and passed unanimously with voting as follows: Council Johnson, Armitage, Fox, Paddock and Supervisor Farnholz – aye the following **RESOLUTION**:

RESOLVED, the Town Board of the Town of LeRoy grants the Special Use Permit application submitted by Jeff Cook of NYS Rte 5 Self Storage, LLC to operate an outdoor storage area for recreational vehicles (RV's) and boats at 7054 West. Main Road, LeRoy, NY with permit to be subject to annual inspection/review for any violations of proposed granted use.

CORRESPONDENCE:

Letter from Assemblyman Steve Hawley –
Assemblyman Hawley sent the Town Board of LeRoy a thank you for forwarding the Town Board's position in opposition to the resolution regarding "Proposed Ban Natural Gas Heating/Appliance-NYS".

NEW BUSINESS:

1. Plan Review Checklist –

Code office asking for Town Board to review and approve a proposed Plan Review Checklist which is an informational list and would need to be filled out with any permit requiring a plan review. Councilman Fox asked if this list included sewer information. Supervisor Farnholz said this list did not include sewer information.

On **MOTION** by Supervisor Farnholz and seconded by Councilman Armitage and passed unanimously with voting as follows: Council Johnson, Armitage, Fox, Paddock and Supervisor Farnholz – aye the following **RESOLUTION**:

RESOLVED, the Town Board of the Town of LeRoy accepts the proposed Plan Review Checklist by the Zone/Code Office as presented.

2. Budget Calendar 2024 –

Supervisor Farnholz presented the 2024 Budget Development Timeline.

On **MOTION** by Councilman Paddock and seconded by Councilman Johnson and passed unanimously with voting as follows: Council Johnson, Armitage, Fox, Paddock and Supervisor Farnholz – aye the following **RESOLUTION**:

RESOLVED, the Town Board of the Town of LeRoy approves the proposed Budget Development Timeline as presented.

3. Railroad Bed Property – Keeney Road

Sleds of Stafford expressing interest in purchasing the land owned by the Town of LeRoy along the railroad bed near Keeney Road. Currently the Town maintains it. If the Town is interested in selling the property an appraisal would need to be done and the land would have to be put out to bid. After discussion, Supervisor Farnholz said he would research it further.

4. Janitorial Services Contract – Warren’s Commercial Cleaning, Inc.

Board reviewed annual services contract to clean the Town Hall by Warren’s Commercial Cleaning commencing on the 24th day of May, 2023 and ending on the 23rd day of May, 2024.

On **MOTION** by Supervisor Farnholz and seconded by Councilman Paddock and passed unanimously with voting as follows: Council Johnson, Armitage, Fox, Paddock and Supervisor Farnholz – aye the following **RESOLUTION**:

RESOLVED, the Town Board of the Town of LeRoy approves the proposed contract for cleaning by Warren’s Commercial Cleaning, Inc. as presented.

5. Bob Johnson Chevrolet – SEQRA Notice Lead Agency Designation Resolution -

On **MOTION** by Supervisor Farnholz and seconded by Councilman Johnson and passed unanimously with voting as follows: Council Johnson, Armitage, Fox, Paddock and Supervisor Farnholz – aye the following **RESOLUTION**:

**RESOLUTION FROM THE TOWN BOARD OF THE TOWN OF LEROY OF SEQRA
NOTICE LEAD AGENCY VILLAGE OF LEROY DESIGNATION AND DETERMINATION
OF SIGNIFICANCE FOR SEWER FORCEMAIN EXTENSION**

WHEREAS, the Bob Johnson Chevrolet (the “Applicant”), located at 7000 West Main Road (State Route 5) in the Town of LeRoy, is proposing the installation of approximately 3,000 LF of 3-inch sewer forcemain from its current location to the municipal line; and

WHEREAS, the Applicant will connect forcemain to the existing Village sewer collection system and dedicate said forcemain to the Village of LeRoy (the “Village”); and

WHEREAS, in accordance with the provisions of 6 NYCRR Part 617 (SEQRA), the project is determined to be an Unlisted Action which will not be subject to a coordinated review.

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of LeRoy hereby acknowledges Village of LeRoy as Lead Agency for the proposed action pursuant to 6 NYCRR Part 617.

BE IT FURTHER RESOLVED that based upon examination of the Environmental Assessment Form (EAF), its own independent analysis of the Proposed Action, and comparison with the criteria for determining significance under 6 NYCRR 617.7, the Town Board concurs with the Village of LeRoy that the Proposed Action will not have a significant environmental impact and hereby issues a Negative Declaration; and

BE IT FURTHER RESOLVED that this determination is based on the facts and conclusions as noted in the attached EAF.

6. Bob Johnson Chevrolet – Resolution for Public Sewer Dedication -

On **MOTION** by Supervisor Farnholz and seconded by Councilman and passed unanimously with voting as follows: Council Johnson, Armitage, Fox, Paddock and Supervisor Farnholz – aye the following **RESOLUTION**:

RESOLUTION FOR BOB JOHNSON CHEVROLET PUBLIC SEWER DEDICATION

WHEREAS, the Village of LeRoy (Village) was approached by the representatives of the tax parcel ID 29.-1-10.11, owned by 7000 West Main LeRoy LLC (Owner), regarding the connection of the property to the Village public sewer system; and

WHEREAS, the request also included consideration for the Village to accept dedication of the sewer in the public right-of-way; and

WHEREAS, Village law 14-1402 allows for the extension of public sewer outside of the Village limits with approval from the Town of LeRoy; and

WHEREAS, design plans were completed by Landtech Surveying & Planning, PLLC on March 28, 2023, and submitted to the Village Engineer (CPL) for review and approval; and

WHEREAS, revisions to the plans were requested by CPL and completed by Landtech Surveying & Planning, PLLC, with plans being approved contingent upon approval from the NYSDOT and NYSDEC; and

WHEREAS, in accordance with the provisions of 6 NYCRR Part 617 (SEQRA), this is considered an Unlisted Action and the Village issued a negative declaration; and

WHEREAS, in consideration of the proposed project, the Village Board has duly considered all submissions and relevant information; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of LeRoy acknowledges that the Village will accept dedication of the proposed sewer main in the public right-of-way from tax parcel ID 29.-1-10.11 along NYS Route 5 to the Village line and connection to the public sewer contingent upon the following:

1. The sewer in the right-of-way shall be designed and constructed to accommodate the existing homes and businesses along the project route.
2. Notwithstanding the foregoing, each real property owner along the project route shall be solely and individually liable for the cost and construction of its lateral connection to the sewer main, if and when an owner elects to connect, and follow all other pertinent laws of Village code.
3. Approval of the dedication from the Town of LeRoy.
4. The Owner will obtain approval of the plans from the NYSDOT and NYSDEC.
5. The Owner will obtain the necessary permit from the NYSDOT for the installation of the sewer main.
6. The Owner will provide a 5-year maintenance bond for the sewer main, starting after the sewer main is placed into service.
7. The Owner will be responsible for all legal and engineering expenses related to the Town and Village of LeRoy.
8. If any easements are required, they will be obtained by the Owner on behalf of the Village.

BE IT FURTHER RESOLVED, The Town Board of the Town of LeRoy concurs with all stipulations as listed and presented from the Village of LeRoy as lead agent.

EXECUTIVE SESSION:

On **MOTION** by Supervisor Farnholz and seconded by Councilman Paddock and passed unanimously to enter into Executive Session at 7:15 PM, with Town Board and Deputy Town Clerk and Chief of Police present.

On **MOTION** by Supervisor Farnholz and seconded by Councilman Armitage and passed unanimously to come out of Executive Session at 8:02 PM with no action taken.

COMMITTEE REPORTS:

Assessment: Currently working on properties that are under assessed.

Parks & Recreation:

Spray Park held pressure test.

Building:

Councilman Fox reported:

- Sump pump hooked up.
- Energy efficient lighting in basement completed. Now looking into lighting in Courtroom. Three ballasts are not functioning.

Cemetery:

Councilman Paddock said three flag poles on order.

AUTHORIZATION TO PAY BILLS:

On **MOTION** by Councilman Johnson and seconded by Councilman Fox and passed unanimously the following bills were presented for payment:

Abstract # 9	2023	Voucher #
General Fund A, B, SL & Cap Proj H:	\$13,871.24	210~236 [online pay]
Highway Fund DA & DB:	\$25,447.99	73~81
Water Fund SW:	\$5805.99	6

With no further business to come before the Board, on **MOTION** by Councilman Fox and seconded by Councilman Johnson and passed unanimously to adjourn at 8:12 PM.

Respectfully Submitted, Mary Margaret Ripley Deputy Town Clerk