

Regular Meeting of the Town Board of the Town of LeRoy held on Thursday, July 13, 2023 at 7:00 PM in the Courtroom of the Town Hall, 48 Main Street LeRoy, New York.

- Members Present:

James Farnholz, Supervisor
John Armitage, Council
William Fox, Council
John Johnson, Council
David Paddock, Council
- Absent:

Eric Stauffer, Highway Supt.
- Recording Secretary:

Patricia A. Canfield, Town Clerk
- Others Present:

Robert Burgdorf, Nixon Peabody, Dustin Wymen (Verizon)
Laurie Pocock, Amiee, Chuck & MacKenzie McLaughlin
Laura Amiss, Benjamin Pocock, Brian Pocock, Bob Parrish
Ted Darocha, Eileen Dries

Supervisor Farnholz called the regular meeting to order at 7:00 PM followed by the pledge to the flag and approval of the minutes of the meeting of June 15, 2023 on **MOTION** by Supervisor Farnholz and seconded by Councilman Fox and passed - Councilman Paddock abstained; and approval of the minutes of June 22, 2023 on **MOTION** by Supervisor Farnholz and seconded by Councilman Fox and passed – Councilman Armitage abstained.

PUBLIC HEARING:
Bell Atlantic Mobile Systems LLC d/b/a Verizon Wireless -Telecommunication Antenna Facility to Existing Telecommunications Facility – 9300 South Street Road, LeRoy NY 14482 –
Supervisor Farnholz read the following notice of public hearing:
PLEASE TAKE NOTICE that the Town Board of the Town of LeRoy will hold a public hearing on July 13, 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 Bell Atlantic Mobile Systems LLC, d/b/a Verizon Wireless to co-locate a wireless telecommunications antenna facility on to the existing wireless telecommunications facility located at 9300 South Street Road, tax parcel 31.-1-36 located in the Town of LeRoy, Genesee County New York [LeRoy High School site] as required in Town Code for installation of a public utility structure within the R-1 [residential] zoning district.
By Order of the Town Board, Patricia A. Canfield, Town Clerk
The public hearing was open for questions and comments.
Hearing no questions or comments on **MOTION** by Supervisor Farnholz and seconded by Councilman Paddock and passed unanimously to close the public hearing.

Bell Atlantic Mobile Systems d/b/a Verizon Wireless – Telecommunication Antenna Facility – SEQR – Negative Declaration–
On **MOTION** by Supervisor Farnholz and seconded by Councilman Paddock and passed unanimously with voting as follows: Council Armitage, Fox, Johnson, Paddock and Supervisor Farnholz – aye the following **RESOLUTION:**
RESOLVED, the Town Board of the Town of LeRoy authorizes the issuance of a Negative Declaration upon completion of SEQRA Full Environmental Assessment Form completed for the project titled Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless – LeRoy High School Telecommunication Facility located at 9300 South Street Road, LeRoy, NY 14482

Bell Atlantic Mobile Systems d/b/a Verizon Wireless – Telecommunication Antenna Facility to Existing Telecommunications Facility – 9300 South Street Road, LeRoy Ny 14482 – Authorization to Issue Special Use Permit -
On **MOTION** by Supervisor Farnholz and seconded by Councilman Paddock and passed unanimously with voting as follows: Council Armitage, Fox, Johnson, Paddock and Supervisor Farnholz – aye the following **RESOLUTION:**
RESOLVED, the Town Board of the Town of LeRoy authorizes to issue a Special Use Permit for applicant Bell Atlantic Mobile Systems d/b/a Verizon Wireless 9300 South Street Road, LeRoy NY 14482 – Telecommunication Antenna Facility to Existing Telecommunications Facility [Public Utility] to provide adequate and reliable wireless telecommunications service to the Town of LeRoy.

GUESTS:
Laurie Pocock, Morganville Road, Stafford, NY – Recreation – LeRoy Community Pool -
Laurie addressed Town Board regarding utilizing the LeRoy Community Pool. Explained that this year was told that only Town/Village of LeRoy residents [taxpayers] were able to use the pool. Recreation staff explained the stipulation and refunded daily pass money. Laurie read letter of concern stating her past use of pool without problems and the question of the use of the pool for the kids as a community.
James Farnholz, Supervisor – Supervisor Farnholz explained the funding for pool operation is through taxpayers and daily fees do not cover expenses. The Village of LeRoy contributes \$11k annually and “Friends of the Pool” contribute for lifeguard certification and extra items used at the pool at their discretion. Town of LeRoy budget for recreation/pool is in excess of \$130k annually.
Town Board will discuss issue further and will be meeting on July 20, 2023 at 7:00 PM.

CORRESPONDENCE:
NYS Ag & Markets – Municipal Shelter Inspection Report – Satisfactory reporting.

OLD BUSINESS:
1. Rural Development Funding – Water District No. 12 – Update –
Supervisor Farnholz reported funding has been submitted to Washington for Town of LeRoy Water District No. 12 to receive 5.7 million in grant; 9.7 million in loan at 2.8% for 38 years.

NEW BUSINESS:

1.

ZBA Appointment –

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

RESOLUTION:

RESOLVED, the Town Board of the Town of LeRoy authorizes to appoint Antonio Madau from alternate member of the Town of LeRoy Zoning Board of Appeals to regular member status effective July 13, 2023.
2.

Planning Board – Resignation –

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

RESOLUTION:

RESOLVED, the Town Board of the town of LeRoy accepts the resignation submitted by Marny Cleere from the Town of LeRoy Planning Board effective May 18, 2023.
3.

ZBA [Alt] & Planning Board Appointment –

Town Board will advertise for vacancies on Zoning Board of Appeals [alternate] and Planning Board.
4.

Laura Landers, CPA – Appointment –

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

RESOLUTION:

RESOLVED, the Town Board of the Town of LeRoy approves the appointment of Laura Landers, CPA to prepare annual AUD and provide financial consulting, quarterly reporting and budget services as needed at a rate of \$150.00/hour.
5.

Call for Special Meeting – Town Board - July 20, 2023 –

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

RESOLUTION:

RESOLVED, the Town Board of the Town of LeRoy will hold a Special Meeting on July 20, 2023 at 7:00 PM at the Town Hall, 48 Main Street, LeRoy NY regarding formation of Water District No. 12.

COMMITTEE REPORTS:

Highway:
Supervisor Farnholz reported:

- Mowing roadsides as needed.

Clerk:
Total fees collected for the month of June 2023 at \$8,714.68 with \$8,044.06 remitted to the Supervisor.

Assessments:
Supervisor Farnholz reported Assessor Jim Kirsch will attend a meeting to explain the process of a townwide re-evaluation to bring properties up to 85% of assessed value to increase equalization rate.

Code:
Supervisor Farnholz reported on the process for obtaining a permit and the purpose of code certification and review, which removes the liability for Town and Village.

Cemetery:
Supervisor Farnholz reported he visited the Lent Avenue Tomb located on West Main Street near Royal Apts. due to call expressing concern of neighboring property encroaching on area. Also, looking at Fort Hill Cemetery access which is 6’ easement for pedestrian traffic only. Town of LeRoy is responsible for all abandoned cemeteries in both town and village under state law.

Utilities:
Supervisor Farnholz reported that Frontier traced telecommunication lines at the Town Hall to eliminate those that are not in use and to reduce the cost.

Ambulance:
Councilman Johnson reported LeRoy Ambulance will be working on their 2024 budget and will be sending their request for funding consideration.

EXECUTIVE SESSION:
On **MOTION** by Supervisor Farnholz and seconded by Councilman Fox and passed unanimously to enter into Executive Session at 8:25 PM for legal/litigation with Town Board and Town Clerk present.
On **MOTION** by Supervisor Farnholz and seconded by Councilman Armitage and passed unanimously to come out of executive session at 9:01 PM with no action taken.

<u>AUTHORIZATION TO PAY BILLS:</u>		
On MOTION by Councilman Johnson and seconded by Councilman Fox and passed unanimously the following bills were presented for payment:		
Abstract # 13	2022/23	Voucher #
General Fund A, B, SL & Cap Proj H:	\$74,933.12	310~390 [online pay]
Highway Fund DA & DB:	\$21,765.87	96~101
Water Fund SW:		

With no further business to come before the Board, on **MOTION** by Councilman Johnson and seconded by Councilman Armitage and passed unanimously to adjourn at 9:09 PM.
Respectfully Submitted, Patricia A. Canfield Town Clerk