

**REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES
DECEMBER 15, 2010**

A REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES WAS HELD ON WEDNESDAY, DECEMBER 15, 2010, BOARD ROOM, VILLAGE HALL.

PRESENT: Mayor George E.D. Brady; Trustees Jennifer A.O. Keys, Gregory Rogers, Richard O'Shea, Robert D. Taylor, Jr.; Clerk-Treasurer Sharon Jeary; Village Attorney Laurence Boylan; DPW Superintendent Robert Lathan, Jr.; Chief of Police Christopher Hayward; 6 citizens.

Mayor Brady called the meeting to order at 7:00 PM and asked everyone stand and recite the Pledge of Allegiance.

APPROVAL OF MINUTES – A motion was offered by Trustee O'Shea to approve the minutes of the Board of Trustees dated December 1, 2010 as previously printed and presented. Seconded by Trustee Keys and on a call of votes Trustee Keys – Aye, Trustee O'Shea – Aye, Trustee Rogers – Aye, Trustee Taylor – Aye, Mayor Brady – Aye, carried

A motion was offered by Trustee Rogers to accept the Sewer Board dated November 30, 2010 noting that he suggested a noncompliance fee for sewer inspections but not the amount. Seconded by Trustee O'Shea and on a call of votes Trustee Keys – Aye, Trustee O'Shea – Aye, Trustee Rogers – Aye, Trustee Taylor – Aye, Mayor Brady – Aye, carried.

DEPARTMENT CONSIDERATIONS:

Chief Hayward: Reported there is one more phase for the completion of the PESH Compliance of the Workplace Violence Policy.

OLD BUSINESS:

FARMERS' MARKET, YEAR END REPORT – Enclosed with the Board's agenda was the Year End Report for the Farmers' Market. Board members agree that this is benefit for the community and a job well done by the Market Managers.

RESOLUTION TO HOLD A PUBLIC HEARING, LOCAL LAW NO. 1 OF 2011, AMENDMENT TO ZONING LAW AND MAP – A motion was offered by Trustee Keys to hold a public hearing on proposed Local Law No. 1 of 2011 which will amend the Zoning Law and map to rezone a property from Residential (R-1) Zone to Planned Unit Development (PUD). Proposal of said property is located on Robbins Road, Tax Map number 14-1-75.11 and includes approximately twelve acres. Public hearing to be held on Wednesday, January 12, 2011 at 7:00 PM. Seconded by Trustee Rogers and on a call of votes Trustee Keys – Aye, Trustee O'Shea – Aye, Trustee Rogers – Aye, Trustee Taylor – Aye, Mayor Brady – Aye, carried.

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RESOLUTION TO AUTHORIZE ADJUSTMENT OF SEWER BILLS

MOTION BY Trustee Taylor

WHEREAS, THE November 2010 Sewer bills were calculated based on the water readings provided by Monroe County Water Authority's readings dated September 2010, and

WHEREAS, questions arose on those readings by property owners located at 10 Genesee Street and 70 Gilbert Street, and

WHEREAS, information was received regarding the high readings at the above listed properties and forwarded to the Village's Sewer Board for their review and recommendations, and

WHEREAS after thorough investigation the Sewer Board determined both properties 10 Genesee Street and 70 Gilbert Street be allowed a reduction because the excessive water did not enter the sewer system, NOW THEREFORE

BE IT RESOLVED based on the recommendation of the Sewer board the Board of Trustees hereby authorizes an adjustment to the sewer bills of 10 Genesee Street, account number 01750 by averaging the last three quarters for an amount of a \$50.49 reduction, and

BE IT FURTHER RESOLVED that an adjustment is issued for 70 Gilbert Street, account number 11671 in the amount of \$227.24.

SECONDED BY Trustee Rogers The Sewer Board grants the relief by taking into consideration if the water went through the sanitary sewer system, if it is treated they pay the normal sewer rates if the water doesn't enter the sanitary system the Board recommends the adjustment, Trustee Roger reported. On a call of votes Trustee Keys – Aye, Trustee O'Shea – Aye, Trustee Rogers – Aye, Trustee Taylor – Aye, Mayor Brady – Aye, carried.

RESOLUTION TO AUTHORIZE THE RENEWAL OF THE DRUG AND ALCOHOL TESTING AGREEMENT, PARTNERS IN SAFETY INC. – A motion was offered by Trustee Taylor to authorize the renewal of the Drug and Alcohol Testing Agreement with Partners in Safety Inc. Under the terms and conditions of the agreement they shall provide services to the Village that meet the compliance requirements of the U.S. Department of Transportation as defined in 49 CFR Part 40 and Part 382 and our union contracts. Seconded by Trustee O'Shea and on a call of votes Trustee Keys – Aye, Trustee O'Shea – Aye, Trustee Rogers – Aye, Trustee Taylor – Aye, Mayor Brady – Aye, carried.

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A PROPERTY TAX CAP MUST INCLUDE MANDATE RELIEF

MOTION BY Trustee Rogers

WHEREAS, the level of property taxation throughout New York has reached dangerously high levels; and

WHEREAS, New York leads the nation in property taxes simply because we lead the nation in imposing inefficient state mandates on our local governments; and

WHEREAS, two of the largest components of every municipal budget over which local officials have little control – pension payments and health insurance costs – are increasing at exorbitant rates; and

WHEREAS, in the case of pension costs, bills from the State Retirement System will increase by an average of 40% in both 2011 and 2012; and

WHEREAS, state laws pertaining to the collective bargaining of contracts between municipalities and employee unions, particularly those pertaining to firefighters and police officers. Do not allow local officials to reasonably control the costs of such contracts impose on property taxpayers; and

WHEREAS, as a solution to New York's property tax crisis, the Governor of New York and the New York State Legislature will, in 2011, consider enactment of legislation imposing a cap on the annual growth in property taxes; and

WHEREAS, a property tax cap will only work if it is simultaneously accompanied by a real of current state mandates that require local governments to increase spending and property taxes; and

WHEREAS, a property tax cap without repeal of costly state mandates will, by definition, lead to drastic cuts in essential local services and dramatic layoffs of municipal employees, NOW THEREFORE

BE IT RESOLVED by the Village of LeRoy that the Governor of the State of New York and the members of the New York State Senate and the New York State Assembly must reform the cost drivers that lead to high property taxes in New York – including pension benefits, health insurance costs and the collective bargaining process – as the central element of any effort to provide overdue property tax relief to the residents and businesses of New York.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Governor, Senate Majority and Minority Leads, Assembly Speaker and Minority Leader; Senator Michael Ranzenhofer, Assemblyman Stephen Hawley, and the New York State Conference of Mayors.

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SECONDED BY Trustee Taylor and on a call of votes Trustee Keys – Aye, Trustee O’Shea – Aye, Trustee Rogers – Aye, Trustee Taylor – Aye, Mayor Brady – Aye, carried.

OFFICIAL CONSIDERATIONS:

Trustee Rogers – thanked Michele Fuller and DPW Superintendent and Department for the Main Street Decorations. Merry Christmas and Happy New Year.

Trustee Taylor – worked at the Pantry and would like to thank the Firemen and those who delivered and donated to the Pantry. Also would like to thank Judy Ridley and Sylvia Traxler for the volunteer work. The Pantry is a wonderful organization it’s a terrible thing that we need it but glad it is there. Street plowing is fantastic.

Mayor Brady:

- Asked the Board to think about grants and projects we need to do. We need to get information to our grant writer.
- Pool spoke with Jeff Meyers regarding the pool and property. More information is necessary before a determination can be made.

EXECUTIVE SESSION: A motion was offered by Trustee Keys to enter Executive Session for the purpose of discussing a personnel matter and a pending contract. Seconded by Trustee Rogers and on a call of votes Trustee Keys – Aye, Trustee O’Shea – Aye, Trustee Rogers – Aye, Trustee Taylor – Aye, Mayor Brady – Aye, carried. Mayor Brady requested Attorney Boylan, Police Chief Hayward, DPW Superintendent Lathan, and Clerk-Treasurer Jeary remain for the session. Session entered at 7:16 P.M.

REGULAR SESSION: A motion was offered by Trustee O’Shea to enter into Regular Session, seconded by Trustee Keys and on a call of votes Trustee Keys – Aye, Trustee O’Shea – Aye, Trustee Rogers – Aye, Trustee Taylor – Aye, Mayor Brady – Aye, carried. Session entered at 8:01 P.M. Mayor Brady announced no action was taken during executive session.

AUTHORIZATION TO ADVERTISE FOR STREET CROSSING GUARD – A motion was offered by Trustee Keys to allow the Clerk-Treasurer to advertise for the position of Street Crossing Guard. Seconded by Trustee Rogers and on a call of votes Trustee Keys – Aye, Trustee O’Shea – Aye, Trustee Rogers – Aye, Trustee Taylor – Aye, Mayor Brady – Aye, carried.

APPOINTMENT OF ROBERT TYGART, POLICE OFFICER – Mayor Brady appoints Rogers Tygart to the position of Police Officer. A motion to ratify the Mayor’s appointment of Robert Tygart was offered by Trustee O’Shea. A appointment to take effect this date at the rate of \$20.91/hour. Seconded by Trustee Keys and on a call of votes Trustee Keys – Aye, Trustee O’Shea – Aye, Trustee Rogers – Aye, Mayor Brady – Aye, Trustee Taylor – abstains; carried.

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AUTHORIZATION TO PAY BILLS – A motion was offered by Trustee Taylor to pay bills as presented, seconded by Trustee Keys and on a call of votes Trustee Keys – Aye, Trustee O’Shea – Aye, Trustee Rogers – Aye, Trustee Taylor – Aye, Mayor Brady - Aye, carried. Payment is as follows:

General Fund – check number 15332 – 15375 – \$175,379.58
Capital Fund – H3 - check number – 1085 – 33,975.80

ADJOURN – There being no further business a motion was offered by Trustee Rogers to adjourn, seconded by Trustee Keys and on a call of votes Trustee Keys – Aye, Trustee O’Shea – Aye, Trustee Rogers – Aye, Trustee Taylor – Aye, Mayor Brady – Aye, carried. Meeting adjourned at 8:17 PM.

Respectfully submitted,

Sharon M. Jeary,
Clerk-Treasurer

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