

# *Village of Leicester*

## **April 15, 2024 Board of Trustees Meeting**

**CALL TO ORDER:** Mayor Briffa called the meeting to order at 6:30 pm followed by the Pledge of Allegiance.

**SWEARING IN TO OFFICE:** Clerk-Treasurer Beardsley swore Trustee Frantz into office. Trustee Rizzo had previously been sworn into office by Clerk-Treasurer Beardsley on April 3, 2024.

**PRESENT:**

**Mayor:** Barry Briffa  
**Trustees:** Don Jacobs, Ken Rizzo, Tom Frantz, Dan Christiano  
**Clerk-Treasurer:** Deborah Beardsley  
**Deputy Clerk:** Sam Bodratti  
**Fire Chief:** James Kane, President John Yasso  
**Highway Superintendent:** Russ Page  
**Water Operator:**  
**Zoning/Code Enforcement:**  
**Residents:** Karen Roffe

**EXCUSED:**

**MINUTES:** The minutes of the March 18, 2024 Board Meeting were accepted on a motion by Trustee Christiano, 2<sup>nd</sup> by Trustee Rizzo. [Motion Carried 4-0]

**OPEN BUDGET HEARING:** Mayor Briffa opened the Public Budget Hearing for 2024-2025 at 6:31 pm on a motion by Trustee Frantz, 2<sup>nd</sup> by Trustee Jacobs [Motion Carried 4-0].

**COMMITTEE REPORTS:**

**Fire Company Report:** President Yasso submitted the attached report and reported the following:

- 3 Calls in the past month – 1 was a stand-by at the Fire Hall for the eclipse.
- Training – Drafting on the dry hydrant.
- Trucks are currently all good.
- Scouts will use the Fire Hall in May.
- Fire / EMS Efficiency Grant- Public Hearing scheduled for April 22, 2024 at 6:00 pm at the Leicester Fire Hall. Town to schedule a Public Hearing.
- President Yasso is working on the application for V-Fire grant for 20 sets of turn-out gear and washer/dryer to clean them and Deputy Bodratti is working on a separate part of the grant for fire hall renovations.
- Deputy Bodratti shared that the grant submission needs a budget for a fire hall to accommodate 3 trucks plus a pick-up truck for EMS. Also needed are building plans, estimate, timeline of spenddown and milestones. Engineer cost for grant assistance with this is \$2,275. Grant is for one million dollars. Process is very competitive so putting a good plan in place and budgeting is needed.
- Mayor Briffa states Senator Helming is backing our plan for grant submission and updated fire hall.
- Motion by Trustee Christiano to allocate \$2,275 to create budget for Application of Grant for new Fire Hall, 2<sup>nd</sup> by Trustee Frantz. [Motion Carried 4-0]

# *Village of Leicester*

## **April 15, 2024 Board of Trustees Meeting**

- Chief Kane requested approval of new Fire Department Member, Josh Dickens.
- Chief Kane presented the yearly Fire Department report.
- 2024-2025 Line Officers accepted on a motion by Trustee Rizzo, 2<sup>nd</sup> by Trustee Jacobs.  
[Motion Carried 4-0]
- Motion to accept Josh Dickens as new Fire Department member made by Trustee Jacobs, 2<sup>nd</sup> by Trustee Christiano. [Motion Carried 4-0]

### **Highway Department Report:** Superintendent Page presented the following:

- Signs damaged by windstorm and weather need to be ordered for replacement. Maple Lane needs a STOP sign at Market and DEAD END / NO OUTLET signage among other signs throughout the Village. Estimate received. STOP sign will be done as soon as possible within the next week.
- Motion to approve \$1100 repair upgrade of Village signage by Trustee Frantz, 2<sup>nd</sup> by Trustee Rizzo.  
[Motion Carried 4-0]
- Work Orders are caught up. Proposal for work on Maple Lane to come.
- When State budget is passed, breakdown of funds available for CHIPS will be received. Sign replacement may be allowable for CHIPS reimbursement along with any other sign repairs done in the past 18 months.
- Discussion regarding the creek near Englert's property that needs further clean out. Possible grant funding through DEC to be discussed.
- Bills for Village work are delayed pending a new Intermunicipal Agreement with the Town.
- Ed Hauslauer is retiring and his last day is Monday, April 29, 2024. This affects back up water coverage for the Village. Town will be appointing a new Deputy Superintendent.

### **Water Report:** Mayor Briffa reports the following:

- Telemetry System – No further update.
- WIIA2 Grant – No further update.

### **Zoning Report:** Mayor Briffa reports the following:

- 36 South Street garage on property is hazardous - Code Enforcement Officer is aware.
- FOIL request for 6 Mt. Morris was addressed.
- FOIL request for 189 Main St. not a legal request. Party making request notified.
- Cars/trucks at Main Street property, former Oltz property, need to be addressed.

### **OLD BUSINESS:**

**Budget** – Discussion over various budget line items, specifically street lighting. LED billing should be Half of what it previously was. Current budget billing is at \$924 monthly, previously \$1142. Lights were just completed in March. Discussion focused on earnings from interest bearing accounts and potential new budget effective January 1, 2024 without Fire Department costs. No major expenses foreseen.

2024-2025 Budget approved on a motion by Trustee Rizzo, 2<sup>nd</sup> by Trustee Christiano. Roll Call Vote: Trustee Rizzo – Aye; Trustee Frantz – Aye; Trustee Christiano – Aye; Trustee Jacobs – Aye.  
[Motion Carried 4-0]

# Village of Leicester

## April 15, 2024 Board of Trustees Meeting

**CLOSE BUDGET HEARING:** Mayor Briffa closed the Public Budget Hearing for 2024-2025 at 7:34 pm on a motion by Trustee Christiano, 2<sup>nd</sup> by Trustee Frantz. [Motion Carried 4-0].

### **ORGANIZATIONAL MEETING:**

Trustee Christiano made a motion to accept the following appointments for the fiscal year 2024-2025 seconded by Trustee Frantz. Carried 4 - 0

### **2024-2025 APPOINTMENTS**

Deputy Mayor	Ken Rizzo
Deputy Clerk-Treasurer	Samantha Bodratti
Tax Collector	Deborah Beardsley
Records Management Officer	Samantha Bodratti
Budget Officer	Deborah Beardsley
Auditing Committee	Ken Rizzo / Dan Christiano
Street & Parks Committee	All Board Members
Recreation Committee	Dan Christiano / Tom Frantz
Water & Lights Committee	Don Jacobs / Ken Rizzo
Village Building	Don Jacobs / Ken Rizzo
Fire Department Committee	Dan Christiano / Ken Rizzo
Highway Department	Don Jacobs / Ken Rizzo
Youth Committee	Dan Christiano / Tom Frantz
Attorney	Ed Russell
Accounting Firm	
Engineering Firm	CPL Engineering
Registrar	Amy Neumann
Historian	Vacant
Official Newspaper	Livingston County News
Official Depository	Five Star Bank / CNB
Secretary to the Planning/Zoning Officer	Samantha Bodratti
Code Enforcement Officer	Chuck Cagle
Planning/Zoning Board Members	Dan Christiano – Chair (4 yr – exp May 2028) Pete Fanaro (4 yr – exp May 2024) Charles Metz (4 yr – exp May 2024) Tim Muscarella (4 yr – exp May 2024) Joe Nahalka (4 yr – exp May 2024)

# Village of Leicester

## April 15, 2024 Board of Trustees Meeting

Trustee Frantz made a motion to have all official **Board Meetings** held on the third Monday of the Month at 6:30 pm seconded by Trustee Rizzo. Carried 4 - 0

Trustee Christiano made a motion to pass the **Approval of Claims Resolution** for the fiscal year 2024-2025 seconded by Trustee Rizzo. Carried 4 - 0

**WHEREAS** the Board of Trustees has determined to authorize payment in advance of audit of claims for public utility services, postage, freight, and express charges; and

**WHEREAS** all such claims must be presented at the next regular meeting for audit; and

**WHEREAS** the claimant and the officer incurring or approving the claim are jointly and severally liable for any amount the board of trustees disallows.

**NOW THEREFORE BE IT RESOLVED:**

**Section 1.** That the Board of Trustees authorizes payment in advance of audit claims for public utility services, postage, freight, and express charges. All such claims must be presented at the next regular meeting for audit and the claimant and the officer incurring or approving the claims are jointly and severally liable for any amount the board of trustees disallows.

**Section 2.** That this resolution is effective immediately.

Trustee Frantz made a motion to pass the **Approval of Mileage Resolution** for the fiscal year 2024-2025 seconded by Trustee Jacobs. Carried 4 - 0

**WHEREAS** the Board of Trustees has determined to pay a fixed rate for mileage as reimbursed to Village Officers and employees who use their personal automobiles while performing their official Village duties;

**NOW THEREFORE BE IT RESOLVED:**

**Section 1.** That the Board of Trustees will approve reimbursement to such Officers and employees at the rate per mile as set by the IRS (**currently \$0.67**) and payable by the payroll company.

**Section 2.** That this resolution is effective immediately.

Trustee Christiano made a motion to pass the **Approval of Designated Depositories Resolution** for the fiscal year 2024-2025 seconded by Trustee Jacobs. Carried 4 - 0

**WHEREAS** The Board of Trustees has determined that the Village Law §4-412 (3)(2) requires the designation of banks or trust companies for deposit of all village monies;

**NOW THEREFORE BE IT RESOLVED:**

**Section 1.** That the Board of Trustees designates the following institutions as depositories of all monies received by the village treasurer, clerk, and receiver of taxes. Names of institutions:

**Five Star Bank**

**M & T Bank Collateral Custody Services**

**Section 2.** That this resolution is effective immediately.

# Village of Leicester

## April 15, 2024 Board of Trustees Meeting

Trustee Jacobs made a motion to pass the **Investment and Procurement Policy Resolution** for the fiscal year 2024-2025 seconded by Trustee Rizzo. Carried 4 - 0

**Investment Policy:** WHEREAS, the Village Board of Trustees desire to establish an investment policy in order to insure funds not needed for the immediate payment of bills will be invested to earn a safe return as provided under the Village Law, the General Municipal Law and the local Finance Law; and

**WHEREAS;** the Village Board desires to designate certain banks for the placing of investments; and

**WHEREAS,** the Village Board desires to authorize the Village Clerk-Treasurer as the fiscal officer to make such investments,

**NOW, THEREFORE** the Board of Trustees authorizes the use of the following commercial banks or trust companies located and authorized to do business in New York State, for placing investments:

Five Star Bank and Canandaigua National Bank

The Board of Trustees authorizes the use of the following types of investments;

Instruments for investing Village monies:

- 1) Savings Account
- 2) NOW. account
- 3) Money Market Deposit Accounts
- 4) Super NOW. Accounts
- 5) 7 to 31 Day Accounts
- 6) Certificates of Deposit
- 7) Repurchase Agreements
- 8) Purchase of United States Treasury Bonds, Bills, and Notes
- 9) Other investment instruments as may be approved by the Office of the State Comptroller from time to time

The Board of Trustees specifically delegates the authority to make day-to-day investment decisions within the guidelines and limitations of this policy resolution to the Village Clerk-Treasurer, as Chief Fiscal Officer. The Chief Fiscal Officer is authorized to utilize the advisory services of Municipal Consulting Firms in planning the timing, amount, maturity, bidding, placement, and reporting on any investments made hereunder.

The Board of Trustees specifically authorizes the designated official to use electronic transfer of funds; among the approved banking institutions, to assist in obtaining "federal funds" enhanced interest rates. Each such transfer shall be specifically identified in the original journal entry as a "wire transfer" and subsequently supported by the bank confirmation notice to provide an audit trail.

The Board of Trustees authorizes the designated official the authority to turn over the physical custody of Certificates of Deposit and other evidences of investments for safekeeping possession to the winning bank, as provided in section 11 (3) of the General Municipal Law, to facilitate access to funds at maturity and to eliminate having live certificates in the Village Office.

All investments shall be documented in written reports to the Village Board, outlining the details of the investment and the bids received thereon. When investments are placed, these reports should be presented no less than monthly.

The primary objective of this policy is to enhance the safety and availability of any Village monies invested. Safety is enhanced by FDIC Insurance limit as presently set or subsequently revised, are to be insured by a pledging of appropriate collateral with the institution winning the bid for the investment. Where appropriate, all investments must be bid specifying, "with collateral."

# Village of Leicester

## April 15, 2024 Board of Trustees Meeting

### Procurement Policy:

1) Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known or can reasonably be expected that aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year. The following items are not subject to competitive bidding pursuant to Section 103 of the General Municipal Law: purchase contracts under \$20,000 and public works contracts under \$35,000; emergency purchases; certain municipal hospital purchases; goods purchased from agencies for the blind or severely handicapped; goods purchased from correctional institutions; purchases under state and county contracts; and surplus and secondhand purchases from another government entity.

The decision that a purchase is not subject to competitive bidding will be documented in writing by the individual making the purchase. The documentation may include written or verbal quotes from vendors, a memo from the purchaser indicating how the decision was arrived at, a copy of the contract indicating the source which makes the item or service exempt, a memo from the purchaser detailing the circumstances which led to an emergency purchase, or any other written documentation that is appropriate.

2) All goods and services will be secured by use of written requests for proposals, written quotations, verbal quotations, or any method that assures that goods will be purchased at the lowest price and that favoritism will be avoided, except in the following circumstances: purchase contracts over \$20,000 and public works contracts of \$35,000; goods purchased from agencies for the blind or severely handicapped pursuant to section 175-b of the State Finance Law; goods purchased from correctional institutions pursuant to Section 186 of the Correction Law; purchases under State contracts pursuant to Section 104 of the General Municipal Law; purchases under County contracts pursuant to Section 103 of the General Municipal Law; or purchases to subdivision 6 of this policy.

3) The following method of purchase will be used when required by this policy in order to achieve the highest savings:

#### ESTIMATED AMOUNT OF PURCHASE CONTRACT METHOD

\$ 2,500 - \$ 4,999 2 verbal quotations

\$ 5,000 - \$ 9,999 3 written/fax/email quotations or written request for proposal

#### ESTIMATED AMOUNT OF PUBLIC WORKS CONTRACT METHOD

\$ 2,500 - \$ 4,999 2 verbal quotations

\$ 5,000 - \$ 9,999 3 written/fax/email quotations \$10,000 - \$19,999

written/fax/email quotations or written request for proposal

3

A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals or quotations; the purchaser will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

4) Documentation is required of each action taken in connection with each procurement.

5) Documentation and an explanation are required whenever a contract is awarded to anyone other than the lowest responsible offeror. The documentation will include an explanation of how the award will achieve savings or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged under any circumstances.

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## **April 15, 2024 Board of Trustees Meeting**

6) Pursuant to General Municipal Law section 104-b (2)(1), the procurement policy may contain circumstances when, or types of procurements for which in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances it may not be in the best interests of the Village of Leicester to solicit quotations or document the basis for not accepting the lowest proposal.

- A. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgement, integrity, and moral worth. These qualifications are not necessarily found in the individual or company that readily lend themselves to competitive procurement procedures. In determining whether a service fits into a category the Village Board of Trustees shall take into consideration the following guidelines: (a) whether the services are subject to State licensing or testing requirements; (b) whether substantial formal education or training is a necessary prerequisite to the performance of the services; and (c) whether the services require a personal relationship between the individual and municipal officials. Professional or technical services shall include but not limited to the following: services of an attorney; technical services of an engineer or architect engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing, editing or art work; management of municipally owned property; and computer software or programming services for customized programs, or services involved in substantial modification and customizing or pre-packaged software.
- B. Emergency purchases pursuant to Section 103 (4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the residents. This section does not preclude alternate proposals if time permits.
- C. Purchases of surplus and second-hand goods from any source or goods purchased at auction. If alternate proposals are required, the Village is precluded from purchasing surplus and second-hand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods and a lower price may indicate an older product.
- D. Goods or services under \$2,500. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interest of the taxpayer. In addition, it is not likely that such contracts would be awarded favoritism.

Service contracts encountered through New York State Office of General Services. In these instances, the State has already investigated and secured the lowest possible price for the municipality.

# *Village of Leicester*

## **April 15, 2024 Board of Trustees Meeting**

### **NEW BUSINESS:**

**Meeting with Rich White:** Discussed water contract and Fire District. Two Boards need to make joint decision regarding Fire District and must be majority vote.

**Meeting with Jason Molino:** Approached Village to re-open the Starr Park meter. No current contract for Town of Leicester customers.

### **MAYOR'S REPORT:**

**Monuments:** Approved \$350 to wash monuments in the Village Park with the exception of the soldier. Requires special product for granite wash. Discussed split of cost between Town and Village. Flowers to be planted in bed behind Veteran's monument.

### **CLERKS REPORT:**

**Williamson Law Books Water Software Support Agreement** – On a motion made by Trustee Christiano, 2<sup>nd</sup> by Trustee Rizzo, the contract with Williamson for water software support in the amount of \$1434 is approved. [Motion Carried 4-0]

**Bids for Painting of Fire Hall:** Three bids received; \$10,107 from KCLW Corp; \$5,625 from A.P.G Painting; and \$5,400 from Precision Painting and Stains. Motion by Trustee Jacobs, 2<sup>nd</sup> by Trustee Christiano to approve the bid to paint the Fire Hall from Precision Painting and Stains. [Motion Carried 4-0]

### **PUBLIC COMMENTS:**

It was mentioned that the light for the flag in front of the Village building is not working. Also the landscaping blocks around the flag pole area are loose and pushing out away from the garden area. Trustee Jacobs to obtain estimates for landscape work. Trustee Jacobs and Rizzo to look at the light to see what repairs are needed.

**ENTER EXECUTIVE SESSION:** Motion by Trustee Christiano, 2<sup>nd</sup> by Trustee Rizzo to enter Executive Session at 8:16 pm regarding water contract. [Motion Carried 4-0]

**EXIT EXECUTIVE SESSION:** Motion by Trustee Rizzo, 2<sup>nd</sup> by Trustee Frantz to exit Executive Session at 8:44 pm. [Motion Carried 4-0]

Motion by Trustee Christiano, 2<sup>nd</sup> by Trustee Rizzo to create a proposal for a contract with Livingston County Water & Sewer representing the Town of Leicester Water Customers at a rate of \$4.75 per thousand gallons for May 1, 2024 through December 31, 2024 with a 4 % increase January 1, 2025 through December 31, 2025. [Motion Carried 4-0]

# *Village of Leicester*

## **April 15, 2024 Board of Trustees Meeting**

### **AUDIT OF BILLS:**

Trustee Christiano motioned, 2<sup>nd</sup> by Trustee Jacobs to accept the bills as audited. [Motion Carried 4-0]  
General Fund Vouchers 3073 – 3092 \$4,330.61 Water Fund Vouchers 1138 - 1147 \$31,285.74

### **NEXT VILLAGE BOARD MEETING:**

Board of Trustees Meeting, Budget Hearing and Adoption, and Organizational Meeting May 20, 2024, at 6:30 pm at Village Hall.

**ADJOURNMENT:** Trustee Christiano motioned, 2<sup>nd</sup> by Trustee Rizzo to adjourn the meeting at 8:51 pm.  
[Motion Carried 4-0]

Respectfully Submitted,  
Deborah Beardsley  
Clerk-Treasurer  
Village of Leicester