

TOWN OF LEICESTER REGULAR BOARD MEETING JULY 22, 2025, AT 7 PM

Meeting minutes

Call to Order/Roll Call

The meeting was called to order at 7:00 PM.

Pledge to the Flag

Board Members Present/ Excused: All Present

Others Present:

Town Clerk Amy Neumann and Town Attorney James Campbell were present. Town Code Officer Sean Sullivan was expected but not present.

Public Present:

Rob Semmel, Lisa Semmel, Ken Mock, Barbara Mock, Rich Neumann, Dennis Prevost, Ryan Burley

Privilege of the floor

Ken Mock - Perry Road Water Issue

Ken Mock and Ryan Burley presented concerns about a pond constructed by a neighbor that is causing water issues on Mock's mother's property. Ryan Burley read from the Town of Leicester Zoning Law regarding pond construction requirements, noting regulations about size, setbacks from property lines, and engineering requirements.

Mr. Burley questioned whether the pond should have required a permit and approval by a licensed engineer before construction. Town Supervisor Richard White responded that while there are now more requirements including review by soil and water conservation, the Town Code at the time used the word "should" rather than "shall" or "must" regarding setbacks.

Town Attorney James Campbell explained that "should" is a recommendation while "shall" or "must" is a requirement, creating enforcement problems. He added that even if a permit had been required, the statute of limitations has expired, making it impossible for the Town to enforce now. Campbell stated this is likely a civil dispute between neighbors.

Ken Mock indicated that when he contacted DEC, they referred him back to the town. Mr. Mock and his mother Barbara Mock expressed frustration about water seeping through the shale from the pond and causing damage to their property over the past 6-8 years, making gardening impossible.

Attorney Campbell advised that a property owner directing water onto another's property could potentially face civil claims, and suggested they consult with a lawyer before taking any action themselves.

Approval of Minutes

Motion to accept Minutes of July 8th Work Meeting/SD1 Public Hearing

Motion: Matt Durbin Second: Karen Roffe Motion Carried

Reports to the Board

Code Office Report: None Received

No report was received.

Supervisors Financial Reports: Supervisors Report and Budget Report

Supervisor White noted that his report wasn't submitted yet and will be given at the next meeting. He mentioned the accountant was on vacation and likely forgot his report.

Highway Superintendent Report: Not Received due to Care of Family

No report was received due to family care obligations.

Town Clerk Financial Reports: Animal, Marriage and Monthly Receipts

Reports were received.

AFR Report: Update

Supervisor White reported that there are still issues with the Annual Financial Report (AFR), particularly with the water accounts. He explained they were having difficulty getting the numbers to balance correctly. He noted they were late with the report last year, submitting it in July or August, and wanted to ensure the numbers are correct before submitting to avoid the state returning it multiple times as happened last year.

Pine Tavern Water District: Update if available

Supervisor White presented a letter from the Water Authority requesting to take over as lead agency on the regional project. He explained that there had been issues with the regional project going through Geneseo, and the new plan was to come down Abel Road and across Jones Bridge. To maintain state funding and grants, they needed to transfer the program to the Water Authority.

Councilmember Hull expressed support, stating the county has more ability to keep the project moving forward. Supervisor White noted that the Town needs to know where the water comes from before they can build their system.

LCWSA - Lead Agency Request

Resolution 0703 of 2025: Authorizing Supervisor to sign the lead agency consent form, indicating that the Town of Leicester Consents / Does not consent.

Motion: Deputy Supervisor/Councilmember Jason Yasso Second: Councilmember Gerald Hull. Roll Call: Councilmember Durbin: Aye Councilmember Roffe: Aye, Councilmember Hull: Aye, Councilmember Yasso: Aye, Supervisor White: Aye. Motion Carried.

Highway Supervision

Supervisor White explained that with Highway Superintendent Russell Page being gone for some time (though still calling in when possible), they need another Supervisor to move up while both Highway Supervisors are out for medical reasons. He noted they expect one of them to return in about three weeks if all goes well.

Authorize John Barrett to receive Deputy Highway Superintendent Pay while both Highway Supervisors are out.

Resolution 0704 of 2025: Authorizing John Barrett to receive the Deputy Highway Superintendent Pay stipend while temporarily filling that position due to department illnesses.

Motion: Deputy Supervisor/Councilmember Jason Yasso Second: Councilmember Karen Roffe. Motion Carried

Fire Lanes

Supervisor White raised concerns about the lack of Fire Lanes, particularly regarding the building next to the Town Hall which has increased occupancy. He noted people tend to park in the driveway and were concerned about Fire Access if one of the buildings caught fire.

Councilmember Roffe clarified that it was always just a driveway rather than a Fire Lane, and the property line runs through the middle of it. She confirmed that contractors sometimes park there.

Supervisor White also mentioned the area between the Fire Company and Post Office that's open to the public, and the roadway around the back of the Old Hardware Building, questioning how to keep these areas open for Fire Department access.

Attorney Campbell explained that the Town Code includes a section on establishing Fire Lanes through Town Board action in cooperation with the Fire Chief's recommendations. This requires preparing a schedule and proper signage for enforcement. He noted that the Village could also establish Fire Lanes either through their Code or using the State Uniform Fire Prevention Code.

Supervisor White also raised the issue of the Town Hall's back parking lot, suggesting they consider designating it as either public or employee parking, particularly as the neighboring building's residents and business owners might increasingly use it. He noted that while he doesn't mind sharing the parking if it doesn't interfere with Town operations, they might want to restrict overnight parking.

Attorney Campbell confirmed the Town can establish time restrictions for their own property, with different rules for weekdays versus weekends or holidays.

Court Grant from NYS OCA

Discussion

This year the Court Clerk and Justices are seeking Grant funding for the front of the building being more Handicap Assessable with new ramp and better door with possible Handicap button to open door.

Audit of Claims

Approval of Abstract of Claims #7 in the amount of \$122,304.34

Motion was made to approve Abstract of Claims in the amount of \$122,304.34, by Deputy Supervisor/Councilmember Jason Yasso, Seconded by Councilmember Gerald Hull. Motion Carried.

Resolution 07052025 Authorizing signing of Road Use Agreement for White Creek Solar

Motion was made to Authorize the Town Supervisor to sign the Road Use Agreement, by Councilmember Karen Roffe, Seconded by Councilmember Matthew Durbin.

Roll Call: Councilmember Matthew Durbin: Aye, Councilmember Roffe: Aye, Councilmember Hull: Aye, Deputy Supervisor/Councilmember Yasso: Aye, Supervisor White: Aye. Motion carried.

Discussion on Boyd and Parker Park

Historian/Councilmember Karen Roffe commented on how nice the Park looks with New Gazebo and the Sidewalk. Supervisor White said there will be no seeding of the soil this year.

Discussion on the Future Water District

Resident Dennis Prevost asked if being the Lead Agency is just administrative? Town Attorney James Campbell answered yes.

Resident Ryan Burley asked how far the Water District project is? Supervisor White hopes for 2 years.

Ryan Burley also asked what the yearly charge is? Town Attorney James Campbell answered that that will all be determined after where and what, then the numbers will come for cost on various use properties. Cost and Debt Service target use for residential verses a business EDU's or Equivalent Dwelling Unit.

3 New Policies that Deputy Supervisor Jason Yasso helped create for Town Board to review in Board Member Folders.

Supervisor White mentioned three new policies in the Board Member Folders:

- Town of Leicester Open Meeting Policy
- Code of Ethics
- Public Access to Meetings of the Town of Leicester

No discussion was recorded.

Adjournment

A Motion was made to adjourn the meeting at 7:46 p.m. by Councilmember Karen Roffe, Seconded by Councilmember Matthew Durbin. Motion carried.