**MINUTES**

Minutes of the “Month-End Town Board Meeting” of the Sodus Town Board held February 27, 2018 beginning at 6:00 pm in the “Upstairs Meeting Room” located at 14-16 Mill St. Sodus, NY 14551

All Sodus Town Board Meetings are open to the public.

Present: Steve LeRoy, Sodus Town Supervisor

David LeRoy, Councilperson (Deputy Supervisor)

Jim Quinn, Councilperson

Scott Johnson, Councilperson

Don Ross, Councilperson *- (Meeting with WCWSA- Attended Executive Session Only)*

Recording Secretary: Lori Diver, Town Clerk

Absent: N/A

Others Present: Eileen Loveman, Sun & Record

Supervisor Steve LeRoy opened the meeting at 6:00 pm with the Pledge of Allegiance.

***ABSTRACT***

***RESOLUTION TO PAY ABSTRACT N0. 4***

***(05 2-2018)***

**WHEREAS,** the following bills were presented for payment on Abstract 4:

General 83-105 $ 8,626.19

Highway 71-89 $ 36,090.68

Trust & Agency 25-26 $ 1,575.76

**GRAND TOTAL: $ 46,292.63**

**NOW BE IT RESOLVED**, Councilperson David LeRoy motioned to approve payment of these bills as reviewed for Abstract No. 04, which was seconded by Councilperson Jim Quinn. Upon roll call the following votes were heard, Supervisor LeRoy, aye; Councilperson David LeRoy, aye; Quinn, aye; and Johnson, aye. Resolution adopted.

***RESOLUTION***

BOND RESOLUTION WD # 11

***(05 2-2018)***

At a meeting of the Town Board of the Town of Sodus, Wayne County, New York, held at the Town Offices in Sodus, New York, on the 27th day of February, 2018:

PRESENT: Supervisor, Steven M. LeRoy

Councilman, David LeRoy

Councilman, Jim Quinn

Councilman, Scott Johnson

ABSENT: Councilman, Don Ross

Councilman David LeRoy presented the following resolution and duly moved that it be adopted and was seconded by Councilman Jim Quinn:

BOND RESOLUTION DATED FEBRUARY 27, 2018 OF THE TOWN BOARD OF THE TOWN OF SODUS, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE WATER SYSTEM CAPITAL IMPROVEMENTS WITHIN THE TOWN, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the Sodus Water District No. 11 is a Water District of the Town of Sodus, New York, duly established by the Town Board pursuant to the Town Law;

WHEREAS, the cost of the improvements authorized will not exceed the cost thresholds that require approval of the Office of the State Comptroller; and

WHEREAS, the Town, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder (“SEQRA”), has completed its environmental review and, on June 10, 2015, has duly adopted a negative declaration and has determined that the implementation of the type 1 action as proposed will not result in any significant adverse environmental impacts; now therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF SODUS, NEW YORK (hereinafter referred to as the “Town”), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Town of Sodus shall undertake certain capital improvements consisting of the acquisition and construction of water improvements for the Town of Sodus Water District No. 11, and the acquisition of land or rights in land necessary therefor, if any, and the acquisition of original furnishings, equipment, machinery or apparatus and other incidental improvements that may be required in connection therewith for such construction and district use (hereinafter referred to as “purpose”), and general obligation serial bonds in an aggregate principal amount not to exceed $724,000 of the Town are hereby authorized to be issued to finance said purpose, and said amount is hereby appropriated therefor, and bond anticipation notes in anticipation thereof (and renewals thereof) of the Town are hereby authorized to be issued to finance said purpose.

Section 2. The estimated aggregate maximum cost to the Town of Sodus of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be $1,224,000. The plan for financing of said purpose is to provide (i) up to $724,000 from USDA Rural Development loan to be evidenced by the issuance of bonds, as well as, bond anticipation notes in anticipation thereof as herein authorized; and (ii) up to $500,000 from anticipated grant funds.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 1 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Town and all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any, sufficient to pay the principal of and interest on said bonds and notes.

Section 5. It is hereby determined and declared that the Town reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, including without limitation, the authority to determine whether to accept bids electronically to the extent allowed by Section 58.00 of the Local Finance Law, is hereby delegated to the Town Supervisor, the Town’s chief fiscal officer. The Town Supervisor and the Town Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Town of Sodus.

Section 7. The faith and credit of the Town of Sodus, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. Such bonds and notes shall be payable from a levy on real property in such district benefitted or user charges therefor, in the manner provided by law, but if not paid from such source, all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any, sufficient to pay the principal of and interest on said bonds and notes. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. This resolution, or a summary hereof, shall be published in full by the Town Clerk of the Town of Sodus together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Town, in the manner prescribed by law. The validity of said bonds or of any bond anticipation notes issued in anticipation of the sale of said bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall take effect immediately upon its adoption.

The motion having been duly seconded, it was adopted and the following votes were cast:

AYES NAYS ABSENT

4 0 1

NOTICE PURSUANT TO LOCAL FINANCE LAW SECTION 81.00

The bond resolution published herewith was adopted on February 27, 2018, and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Sodus is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

Discussion was held regarding a letter from Bob Oaks relative to residency requirement (provided) *Note: Councilman Jim Quinn will follow through with the residency requirement.*

Councilperson David LeRoy motioned to approve travel request for Audit Clerk, Kim Leonard to attend the Small Mgmt. for Small Communities Conference April 24-26 was seconded by Councilperson Jim Quinn. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; and Johnson, aye. Motion carried.

The Sodus Town Board signed all approved travel request for the current year 2018 to date.

Councilperson David LeRoy motioned to approve reimbursement for a $30.00 stop payment fee to Barbara DeBerger regarding 2018 Town and County Taxes was seconded by Councilperson Scott Johnson. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; and Johnson, aye. Motion carried.

Supervisor LeRoy updated the Town Board that Shane Martin and Craig Schwartz both accepted the offer of Dog Control Officer’s for the Town of Sodus. Martin will be Town of Sodus’s primary Dog Control Officer and Schwartz will be secondary when Martin cannot respond. Supervisor LeRoy informed the Town Board that Mark Plyter will train both Martin and Schwartz.

**EXECUTIVE SESSION:**

Councilperson Scott Johnson motioned to enter into Executive Session at 6:25 pm to discuss a personnel issue relative to a particular individual was seconded by Councilperson Jim Quinn. Upon roll call the following votes were heard, Supervisor LeRoy, aye; Councilperson David LeRoy, aye; Quinn, aye; and Johnson, aye. Motion carried.

Councilperson David LeRoy motioned to exit Executive Session at 7.37 pm and enter Regular Session was seconded by Councilperson Scott Johnson. Upon roll call the following votes were heard, Supervisor LeRoy, aye; Councilperson David LeRoy, aye; Quinn, aye; Ross, aye; and Johnson, aye. Motion carried.

Councilperson Jim Quinn motioned to send letter to the Town of Sodus Court, signed by the Board requesting that a Judge appear at the next Board Meeting was seconded by Councilperson David LeRoy. Upon roll call the following votes were heard, Supervisor LeRoy, aye; Councilperson David LeRoy, aye; Quinn, aye; Ross, aye; and Johnson, aye. Motion carried.

A motion by Councilperson David LeRoy to adjourn the Month End Regular Town Board Meeting was seconded by Councilperson Scott Johnson. Upon roll call the following votes were heard, Supervisor LeRoy, aye; Councilperson David LeRoy, aye; Quinn, aye; Ross, aye; and Johnson, aye. Motion carried.

Meeting adjourned at 8:25 pm

Recording Secretary,

Lori Diver

Sodus Town Clerk, RMC