**MINUTES**

Minutes of the Regular Sodus Town Board Meeting held August 21, 2018 in the Sodus Town Court Room, commencing at 7:00 p.m. located at 14-16 Mill St. Sodus, NY 14551.

Sodus Town Board Meetings are open to the public.

Roll Call/Present: Steven LeRoy, Supervisor

David LeRoy, Councilperson/Deputy Supervisor

Jim Quinn, Councilperson

Don Ross, Councilperson

Scott Johnson, Councilperson

Recording Secretary: Lori Diver, Town Clerk

Absent: Al Hendrikse, Code Enforcement

Others Present: Dale Pickering, Highway Superintendent

Deb LeRoy, T/Sodus Resident

Dan Fitch, T/Sodus Resident

Sheila Fisher, Recreation Director

Emily Kunz, Times of Wayne County

Joshua Faulks, Sun & Record

Craig Schwartz, DCO

Kim Buell, ZBA

Tom Putnam, Sodus Town Justice

Supervisor Steve LeRoy called the Regular Town Board to order commencing at 7:00 PM with the Pledge of Allegiance and Lori Diver Town Clerk opened with roll call. All Town Council were present.

***MINUTES***

Councilperson Scott Johnson motioned to approve the Minutes of the ***July 12, 2018***

***Regular Town Board Meeting*** was seconded by Councilperson Don Ross. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; Johnson, aye. Motion carried.

Councilperson David LeRoy motioned to approve the Minutes of the ***July 24, 2018***

***Month-End Regular Town Board Meeting-Public Informational Meeting*** was seconded by Councilperson Scott Johnson. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, abstained-absent; Johnson, aye. Motion carried.

Councilperson David LeRoy motioned to approve the Minutes of the ***August 7, 2018***

***Special Board Meeting*** was seconded by Councilperson Scott Johnson. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; Johnson, aye. Motion carried.

Councilperson Scott Johnson motioned to approve the Minutes of the ***August 14, 2018***

***Special Board Meeting*** was seconded by Councilperson Don Ross. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; Johnson, aye. Motion carried.

***SUPERVISOR’S REPORT***

The December 2017, Yearly 2017, January 2018, February 2018, March 2018, April 2018, May 2018, June 2018, July 2018 Supervisor’s Reports are tabled until Ray Wager’s Office completes their final audit. *Note: The Town Auditors currently are doing their yearly audit in the Town Supervisor’s Office hence; delaying Supervisor Clerk Bree Crandell from closing her 2017 books, opening the 2018 books, and printing reports. The books cannot be closed until the final audit is complete.*

***TOWN CLERK’S REPORT***

The Town Clerk’s Report, Town Clerk’s bank statement for audit and bank register for July 2018 was presented. Councilperson David LeRoy motioned to accept and file this report, which was seconded by Councilperson Jim Quinn. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; and Johnson, aye. Motion carried.

***ABSTRACT***

***RESOLUTION TO PAY ABSTRACT NO. 15***

***(03 08-2018)***

**WHEREAS,** the following bills were presented for payment on Abstract 15:

General 357-390 $ 80,814.27

Highway 243-265 $ 163,786.76

Special Districts 13-13 $ 956.66

Trust & Agency 37-38 $ 1,575.76

**GRAND TOTAL: $ 247,133.45**

**NOW BE IT RESOLVED**, Councilperson David Leroy motioned to approve payment of these bills as reviewed for Abstract No. 15, which was seconded by Councilperson Scott Johnson. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; and Johnson, aye. Resolution adopted.

**PUBLIC COMMENTS:**

***(Amy Pinad) – No Show***

**PUBLIC COMMENTS:**

(Tom Putnam – Craig Schwartz)

Tom Putnam, Town of Sodus Justice discussed with the Board hiring Craig Schwartz as a secondary Bailiff for the Town of Sodus Court. Councilperson Don Ross motioned to approve Craig Schwartz as a part time secondary non benefited Bailiff to the Sodus Town Court was seconded by Councilperson David LeRoy. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; Johnson, aye. Motion carried.

**PUBLIC SAFETY/DRAINAGE/ENVIRONMENT COMMITTEE: *Councilperson Don Ross, Chair (Fire, Ambulance, Emergency Preparedness)***

Councilperson Don Ross gave his report. Ross stated Tammy Gent a member of the Sodus Fire Department passed away unexpectedly. Ross also thanked Highway Superintendent Dale Pickering for fixing the drainage problem with Doris Schinsing’s property. In addition, continued discussions were held by Ross regarding having a larger meeting space for the Town of Sodus Planning and Zoning Board Meetings.

**BUILDINGS AND GROUNDS COMMITTEE: *Councilperson Jim Quinn, Chair***

***(Town Property, Parks, Animal Control, Cemeteries)***

***CODE ENFORCEMENT REPORT:***

*(Al Hendrikse, Code Enforcement Office) –Absent*

Councilperson Don Ross motioned to accept and file the July 2018 Code Enforcement Report was seconded by Councilperson Scott Johnson. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; and Johnson, aye. Motion carried.

***CAMP BEECHWOOD REPORT:***

*Vacant Position*

***DOG CONTROL OFFICER REPORT:***

*Craig Schwartz- Primary DCO*

*Shane Martin- Secondary DCO*

Councilperson David LeRoy motioned to accept and file the July 2018 DCO report from Craig Schwartz, DCO Officer was seconded by Councilperson Scott Johnson. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; and Johnson, aye. Motion carried.

**PUBLIC WORKS COMMITTEE:** ***Councilperson David LeRoy, Chair***

***(Highway, Drainage - Deputy Town Supervisor)***

***Highway Report***

***(Dale Pickering Highway Superintendent)***

Councilperson Scott Johnson motioned to accept and file the July 2018 Highway Report was seconded by Don Ross. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; and Johnson, aye. Motion carried.

**RECREATION COMMITTEE: *Councilperson (Scott Johnson, Chair)***

***(Recreation, Assessor)***

***Recreation Report***

***(Sheila Fisher, Recreation Director)***

Councilperson David LeRoy motioned to accept and file the July 2018 Recreation Report was seconded by Councilperson Jim Quinn. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; and Johnson, aye. Motion carried.

Sheila Fisher, Recreation Director stated the 2018 Summer Recreation Program was very successful. Fisher discussed concerns in the recreation budget for the upcoming recreation programs for 2019. Fisher was asked by the Sodus Town Board to please attend budget meetings in 2018 once they start working on her portion of the budget.

***Assessor’s Report***

***(Nathan Mack, Assessor)***

Councilperson David LeRoy motioned to accept and file the July 2018 Assessor’s Report was seconded by Councilperson Jim Quinn. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; and Johnson, aye. Motion carried.

**TOWN HALL COMMITTEE: *Supervisor LeRoy, Chair***

***(Personnel, Clerks, Justices, Assessor, Building Inspector, Town Council, Boards, Insurances, Finance)***

***N/A***

**REGULAR MONTHLY CORRESPONDENCE**

***RESOLUTION***

***SHARED SERVICES AGREEMENT – TOWN CLERK***

***(04 08-2018)***

Supervisor LeRoy offered the following resolution for its adoption, and

**NOW BE IT RESOLVED**, Councilperson Scott Johnson motioned to authorize Town Clerk Lori Diver to purchase a computer that ties into the County Shared Services Digital Records Storage Initiative. The computer will be purchased from HP Public Sector Online Store under state contract with Wayne County IT and the Shared Services Program which was seconded by Councilperson David LeRoy. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; and Johnson, aye. Resolution adopted.

Councilperson David LeRoy motioned to approve the travel request for Tom Putnam was seconded by Councilperson Don Ross. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; and Johnson, aye. Motion carried.

***RESOLUTION***

***SEEKING COUNTY AND SCHOOL (VILLAGE)***

***PARTICIPATION IN ARTICLE 7 LITIGATION EXPENSES***

***FOR THE YEAR 2018 REGARDING BENTON PLACE ESTATES***

***(05 08-2018)***

WHEREAS, Sodus Benton Place Estates, L.P. has commenced a proceeding pursuant to Article 7 of the Real Property Tax Law for the year 2018 in Wayne County Supreme Court under index number 82764, and

WHEREAS, because the litigation costs of these challenges can be more than the Town can anticipate and afford, and the effects of such litigation extend additionally to the school, village and county tax base, the County of Wayne has adopted a policy of municipal participation in the costs and expense of such litigation by resolution 524-17 Dated October 17, 2017 and

WHEREAS, the Town of Sodus attorney has advised the Town Board that this litigation meets the requirements of municipal participation in that the real property in question has a minimum assessed value of $1,000,000 dollars and the petitioner is desirous of a change in assessment of (10) percent, or a change of at least $100,000 less than the assessed value, to wit: assessment of $840,000 is sought to be reduced to $480,000 and

WHEREAS, the Town of Sodus, desires to qualify this litigation for Wayne County, Village of Sodus and Sodus Central School District participation to equally share the legal and appraisal costs of this litigation,

NOW, THEREFORE, BE IT RESOLVED that the Town of Sodus does hereby agree to share equally in the legal and appraisal costs of this litigation and does hereby request Wayne County, Village of Sodus and Sodus Central School District participation to share equally in the legal and appraisal costs of this litigation; and

BE IT FURTHER RESOLVED that proceedings will involve the County Attorney and Real Property Tax Services Director as consultants regarding appraisals and/or settlement strategies and the Town Attorney is authorized to communicate pursuant to common defense confidentiality agreements with the County of Wayne, Village of Sodus and Sodus Central School District; and

BE IT FURTHER RESOLVED that the Town of Sodus hereby requests approval for County of Wayne, Village of Sodus and Sodus Central School District participation in this litigation commenced under the index number set forth above for the year 2018, and

BE IT FURTHER RESOLVED, that the Town of Sodus will pay its equal share of the legal and appraisal costs of this litigation, and

BE IT FURTHER RESOLVED, that the Town Supervisor be and the same is hereby authorized to request participation by the County of Wayne, Village of Sodus and Sodus Central School District for equal participation in the legal and appraisal costs of this litigation by sending a copy of this resolution to the Wayne County Attorney with a copy to the Wayne County Real Property Tax Services director, to the Village Board of the Village of Sodus and to the Superintendent of the Sodus Central School District, and

NOW BE IT RESOLVED, Councilperson Jim Quinn motioned to adopt resolution ***(05 08-2018),*** which was seconded by Councilperson Don Ross. Upon roll call the following votes were heard, Supervisor LeRoy, aye; Councilperson David LeRoy, aye; Quinn, aye; Ross, aye; Johnson, aye. Resolution adopted.

***RESOLUTION***

***SEEKING COUNTY AND SCHOOL***

***PARTICIPATION IN ARTICLE 7 LITIGATION EXPENSES***

***FOR THE YEAR 2018 REGARDING SODUS PROPERTIES, LLC***

***(06 08-2018)***

WHEREAS, Sodus Properties, LLC, has commenced a proceeding pursuant to Article 7 of the Real Property Tax Law for the year 2018 in Wayne County Supreme Court under index number 82849, and

WHEREAS, because the litigation costs of these challenges can be more than the Town can anticipate and afford, and the effects of such litigation extend additionally to the school, village and county tax base, the County of Wayne has adopted a policy of municipal participation in the costs and expense of such litigation by resolution 524-17 Dated October 17, 2017 and

WHEREAS, the Town of Sodus attorney has advised the Town Board that this litigation meets the requirements of municipal participation in that the real property in question has a minimum assessed value of $1,000,000 dollars and the petitioner is desirous of a change in assessment of (10) percent, or a change of at least $100,000 less than the assessed value, to wit: assessment of $2,437,800 is sought to be reduced to $1,500,000 and

WHEREAS, the Town of Sodus, desires to qualify this litigation for Wayne County, and Sodus Central School District participation to equally share the legal and appraisal costs of this litigation,

NOW, THEREFORE, BE IT RESOLVED that the Town of Sodus does hereby agree to share equally in the legal and appraisal costs of this litigation and does hereby request Wayne County, and Sodus Central School District participation to share equally in the legal and appraisal costs of this litigation; and

BE IT FURTHER RESOLVED that proceedings will involve the County Attorney and Real Property Tax Services Director as consultants regarding appraisals and/or settlement strategies and the Town Attorney is authorized to communicate pursuant to common defense confidentiality agreements with the County of Wayne, and Sodus Central School District; and

BE IT FURTHER RESOLVED that the Town of Sodus hereby requests approval for County of Wayne, and Sodus Central School District participation in this litigation commenced under the index number set forth above for the year 2018, and

BE IT FURTHER RESOLVED, that the Town of Sodus will pay its equal share of the legal and appraisal costs of this litigation, and

BE IT FURTHER RESOLVED, that the Town Supervisor be and the same is hereby authorized to request participation by the County of Wayne, and Sodus Central School District for equal participation in the legal and appraisal costs of this litigation by sending a copy of this resolution to the Wayne County Attorney with a copy to the Wayne County Real Property Tax Services director, and to the Superintendent of the Sodus Central School District, and

NOW BE IT RESOLVED, Councilperson Don Ross motioned to adopt resolution ***(06 08-2018),*** which 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; Johnson, aye. Resolution adopted

Supervisor LeRoy discussed the August 28, 2018 Month End Board Meeting. The Sodus Town Board decided to hold the meeting at 5:00 PM rather than its regularly scheduled time at 6:00 PM. The meeting will be held upstairs in the, “Old Meeting Room.”

**DISSCUSSION:**

1. Discussion was held regarding residents wanting public water on Emerald Point Road.
2. Supervisor LeRoy discussed updates on South Geneva Water District and Water District # 11. LeRoy stated that currently the Wayne County Water Authority is working on finishing construction with South Geneva Water District and should shortly be starting construction on Water District # 11.

**FYI:**

1. Minutes of the Zoning and/ or Planning Board Meetings *(provided)*
2. Monthly Report from Wayne County Sheriff’s Office *(provided)*
3. Certification on Final State Equalization Rate *(provided)*
4. KUDOS to Nathan Mack, Sole Assessor for the Town of Sodus. Letter from Institute of Assessing Officers informed Mack that he successfully passed the

I. A. O. examination *(provided)*

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

Meeting adjourned at 7:52 PM

Recording Secretary,

Lori K. Diver

Sodus Town Clerk, RMC