**MINUTES**

Minutes of the “Month-End Regular Town Board Meeting” of the Sodus Town Board held February 22, 2017 beginning at 5:00 pm in the Sodus Town Board Meeting Room located at 14-16 Mill St. Sodus, NY 14551

All Town of Sodus Board Meetings are open to the public.

 Present: David LeRoy, Deputy Supervisor-Councilperson

 Jim Quinn, Councilperson

 Don Ross, Councilperson

Recording Secretary: Lori Diver, Town Clerk

Absent: Kelly Grey, Councilperson

 Steven M. LeRoy, Town Supervisor

 Others Present: David Fulvio, Esq., Anthony Villani Law Office

Deputy Supervisor David LeRoy began the meeting (commencing at 5:00 pm) with roll call.

***30-DAY ADVANCED NOTICE LIQUOR LICENSE -BURNAP***

***RESOLUTION***

***(04 02-2017)***

Supervisor LeRoy offered the following resolution for its adoption:

WHEREAS, Kendra Burnap (Burnap’s Enterprises, LLC) doing business at 7094 Lake Rd Sodus, NY in the Town of Sodus intends to file for a New York State Liquor License; and

WHEREAS, pursuant to Alcohol Beverage Control Law Section 64(2A), an applicant must give the municipality thirty (30) days’ notice of the pending liquor license application unless the municipality consents to waive this thirty (30) day requirement; now therefore be it

RESOLVED, that the Town Board of the Town of Sodus hereby waives the thirty (30) days’ notice period in regard to Kendra Burnap (Burnap’s Enterprises, LLC) allowing an earlier submission of liquor license application.

STATE OF NEW YORK}

COUNTY OF WAYNE}

I, Lori K. Diver, Town Clerk of the Town of Sodus, Wayne County, New York,

DO CERTIFY, that I have compared the attached document with the original thereof record in my office in the Town of Sodus, Wayne County, New York; and that the same

is a true and correct copy of said original Regular Town Board Minutes of the February 22, 2017 and of the whole thereof. The legal notice was posted on the Town of Sodus Website, the Town Clerk Legal Board, the Town of Sodus Legal Board, and the front entrance door of the Municipal Bldg.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Town of Sodus.

**FURTHER BE IT RESOLVED,** Councilperson Don Ross motioned to adopt resolution

***(04 02-2017)*** was seconded by Councilperson Jim Quinn. Upon roll call the following votes were heard, David LeRoy, aye; Jim Quinn, aye, and Don Ross, aye. Resolution adopted.

***ABSTRACT***

 ***RESOLUTION TO PAY ABSTRACT NO. 04***

***(05 02-2017)***

**WHEREAS,** the following bills were presented for payment on Abstract 02:

 General 85-106 $ 11,812.48

Highway 71-96 $ 36,978.32

 Water Operating 32-39 $ 3,187.50

 **GRAND TOTAL: $ 51,978.30**

**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 Don Ross. Upon roll call the following votes were heard, Councilperson David LeRoy, aye; Quinn, aye: and Ross, aye. Resolution adopted.

Councilperson David LeRoy authorized Town Clerk Lori Diver to notify all required parties of; The Town of Sodus requesting to be Lead Agent in regards to the leasing of Town of Sodus Water to Wayne County Water & Sewer Authority was seconded by Councilperson Jim Quinn. Upon roll call the following votes were heard, Councilperson David LeRoy, aye; Quinn, aye: and Ross, aye. Motion carried.

***PERMISSIVE REFERENDUM –LEASE OF TOWN OF SODUS WATER***

***RESOLUTION***

 ***(06 02-2017)***

TOWN OF SODUS

LEGAL NOTICE

NOTICE OF RESOLUTION

SUBJECT TO PERMISSIVE REFERENDUM

Notice is hereby given that at a duly scheduled meeting of the Town Board of the Town of Sodus, Wayne County, New York, duly held at the Sodus Town Hall, located at

14-16 Mill Street, Sodus, New York, on the 22nd day of February, 2017 at 5:00 P.M., the Town Board of the Town of Sodus, on behalf of the water users of Sodus Water Districts 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, duly adopted the following resolution, which is subject to a permissive referendum pursuant to Town Law 198(12)(b).

 RESOLUTION SUBJECT TO PERMISSIVE REFERENDUM

 WHEREAS, the Town of Sodus on behalf of Sodus Water Districts 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 (“Sodus Service Area”), and the Wayne County Water and Sewer Authority, desire to enter into a long term agreement, wherein the WCWSA will take over direct, primary responsibility for the operation, maintenance, repair and replacement of the municipal water systems within the Sodus Service Area, including procuring water for and distributing water to retail customers in the Sodus Service Area; and

 WHEREAS, the Wayne County Water and Sewer Authority will lease, maintain, operate, repair and replace the facilities of the Sodus Service Area, and will supply water directly to customers therein, under the terms and conditions specified in the proposed lease Agreement between the Wayne County Water and Sewer Authority and the Town of Sodus;

BE IT RESOLVED, the Town Board of the Town of Sodus, on behalf of the water users of Sodus Water Districts 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 (“Sodus Service Area”), hereby authorizes the Town Supervisor to execute the proposed “Lease Agreement between the Wayne County Water and Sewer Authority and the Town of Sodus”, whereby the Town agrees to lease to the WCWSA the municipal water facilities located in the Sodus Service Area, together with any replacements, additions, betterments and improvements that may hereafter be furnished and installed in or by the Town or extensions thereto, in accordance with the terms and conditions set forth within said proposed lease, a copy of which is available for public inspection at the Town Clerk’s office; and it is further

 RESOLVED, the Town Board of the Town of Sodus, hereby authorizes the Town Supervisor to execute the proposed “2017 Amended and Restated Agreement for the Sale and Purchase of Water by and among the Town of Sodus, Village of Sodus Point, Village of Sodus, Town of Williamson, and Wayne County Water and Sewer Authority” to supersede and terminate the 2009 Supply Agreement between the parties upon satisfaction of the conditions precedent set forth within said agreement, a copy of which is available for public inspection at the Town Clerk’s office; and it is further

RESOLVED, this resolution is adopted subject to a permissive referendum, pursuant to Town Law 198(12)(b), by the qualified voters of Sodus Water Districts 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10; and it is further

RESOLVED, that the Town Clerk shall publish and advertise this resolution as subject to permissive referendum in the manner prescribed the New York State Law.

Dated: February 22, 2017

Lori Diver

Town Clerk

Town of Sodus, New York

**NOW BE IT RESOLVED**, Councilperson Jim Quinn motioned to adopt resolution ***(06 02 2017),*** which was seconded by Councilperson Don Ross. Upon roll call the following votes were heard, Councilperson David LeRoy, aye; Quinn, aye: and Ross, aye. Resolution adopted.

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

Meeting adjourned at 5:15 pm

Recording Secretary,

Lori Diver

Sodus Town Clerk