**MINUTES**

Minutes of the “Regular Town Board Meeting” of the Sodus Town Board held March 8, 2017 beginning at 7:00 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: Steven LeRoy, Supervisor

David LeRoy, Councilperson

Jim Quinn, Councilperson

Don Ross, Councilperson

Recording Secretary: Lori Diver, Town Clerk

Absent: Sean Kennedy, Water Superintendent

 Kelly Grey, Absent

 Others Present: Sheila Fisher, Sodus Recreation Director

Al Hendrikse, Code Enforcement Officer

 Dale Pickering, Absent

 John Addyman, Sun & Record

 Kim Buell, Town of Sodus Zoning Member

 Chris Tertinek, Sodus Point Mayor Jim Russell, Public

 Lyle Maldoon, Public

 Robert Hyman, Public

Supervisor, Steve LeRoy called the Regular Town Board Meeting to order commencing at 7:00 p.m. with the Pledge of Allegiance.

***MINUTES***

Councilperson David LeRoy motioned to approve the Minutes of the ***February 8, 2017***

***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. Motion carried.

Councilperson David LeRoy motioned to approve the Minutes of the ***February 22, 2017*** ***Month End-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. Motion carried

***SUPERVISOR’S REPORT***

The Supervisor’s Report for February 2017 *(including all town-wide expenditures and compensated absences)* was presented for approval. Councilperson David LeRoy motioned to accept and file this report, which was seconded by Councilperson Don Ross. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye. Motion carried.

***TOWN CLERK’S REPORT***

The Town Clerk’s Reports, Town Clerk’s bank statements for audit and bank register for February 2017 were 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. Motion carried.

***TAX COLLECTION REPORT***

Councilperson David LeRoy motioned to accept and file the February 2017 Tax Collection Report, Tax Collection bank statements for audit, and bank register was seconded by Councilperson Jim Quinn. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye. Motion carried.

***ABSTRACT***

 ***RESOLUTION TO PAY ABSTRACT NO. 05***

***(01 03-2017)***

**WHEREAS,** the following bills were presented for payment on Abstract 05:

 General 108-136 $ 10,332.55

Highway 97-116 $ 10,146.66

 Water Operating 40-49 $ 2,586.62

Special Districts 16-18 $ 969.56

 **GRAND TOTAL: $ 24,035.39**

**NOW BE IT RESOLVED**, Councilperson David LeRoy motioned to approve payment of these bills as reviewed for Abstract No. 05, 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. Resolution adopted.

**PUBLIC COMMENTS**

*(Lyle Maldoon)*

Lyle Maldoon came before the Board regarding State Route 14 and the disaster the road condition is in. Maldoon read a letter to the Board that he submitted to NYS Representatives. The letter is as follows: (see page 3 for letter)

The Town Board discussed with Maldoon the disrepair of the road condition on State Route 14 and agreed the Town of Sodus will write a letter in support of having the road fixed. The Village of Sodus Point Mayor, Chris Tertinek also stated the Village should be able to write a letter as well. Mr. Maldoon was appreciative the both Municipalities support.

**PUBLIC COMMENTS**

*(Robert Hyman)*

Robert Hyman addressed the Town Board regarding last month’s Regular Town Board Meeting and the discussion and decision with special use permits and farm animals. Hyman indicated to the Town Board he has followed through with every step and every request implemented by the Zoning Board of Appeals, the Wayne County Planning Board, and all recommendations suggested.

Supervisor LeRoy and the Town Board have asked Mr. Hyman if he could bring in his current lease agreement with the property he is referring to. Code Enforcement Officer Al Hendrikse will follow through with some research to see what was actually discussed at the Town Planning Board and Zoning Board of Appeals and see what the decisions or suggestions were recommended.

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

Councilperson Don Ross stated there were two fundraisers in our community for the Jim Ball Family Benefit. The next SESA meeting is March 26, 2017 Sunday Morning in Sodus Point.

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

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

***CODE ENFORCEMENT REPORT:***

*(Al Hendrikse, Code Enforcement Office)*

Councilperson David LeRoy motioned to accept and file the February 2017 Code Enforcement Report was seconded by Councilperson Don Ross. Upon roll call the following votes were heard, Supervisor Steven LeRoy, aye; Councilperson David LeRoy, aye; Quinn, aye, and Ross, aye. Motion carried.

***CAMP BEECHWOOD REPORT:***

*(Trevor Davey, Camp Beechwood Caretaker)*

Councilperson Don Ross motioned to accept and file the February 2017 Camp Beechwood Report was seconded by Councilperson Jim Quinn. Upon roll call the following votes were heard, Supervisor Steven LeRoy, aye; Councilperson David LeRoy, aye; Quinn, aye, and Ross, aye. Motion carried.

***DOG CONTROL OFFICER REPORT:***

*(Thomas Luckenbach, DCO)*

Councilperson Don Ross motioned to accept and file the February 2017 Dog Control Officer Report was seconded by Councilperson David LeRoy. Upon roll call the following votes were heard, Supervisor Steven LeRoy, aye; Councilperson David LeRoy, aye; Quinn, aye, and Ross, aye. Motion carried.

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

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

***Water Report***

***(Sean Kennedy Water Dept. Head)***

A motion by Councilperson David LeRoy to accept and file the February 2017 Water Report was seconded by Councilperson Jim Quinn. Upon roll call the following votes were heard, Supervisor Steven LeRoy, aye; Councilperson David LeRoy, aye; Quinn, aye, and Ross, aye. Motion carried.

***Highway Report***

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

Councilperson David LeRoy motioned to accept and file the February 2017 Highway Report was seconded by Councilperson Jim Quinn. Upon roll call the following votes were heard, Supervisor Steven LeRoy, aye; Councilperson David LeRoy, aye; Quinn, aye, and Ross, aye. Motion carried.

**RECREATION COMMITTEE: *Councilperson Kelly Grey, Chair***

***(Recreation)***

***Recreation Report***

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

Sheila stated everything is going well with the Recreation Program. Numbers are up for the Winter Soccer & Swim program.

Councilperson David LeRoy motioned to accept and file the February 2017 Recreation Report was seconded by Councilperson Don Ross. Upon roll call the following votes were heard, Supervisor Steven LeRoy, aye; Councilperson David LeRoy, aye; Quinn, aye, and Ross, aye. Motion carried.

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

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

***Assessor’s Report***

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

Councilperson David LeRoy motioned to accept and file the February 2017 Assessor’s Report was seconded by Councilperson Jim Quinn. Upon roll call the following votes were heard, Supervisor Steven LeRoy, aye; Councilperson David LeRoy, aye; Quinn, aye, and Ross, aye. Motion carried.

Supervisor LeRoy stated that Nathan, Town of Sodus Assessor has been working very hard with the Town wide Revaluation and has been doing an excellent job! KUDOS!!

Councilperson David LeRoy discussed the Town Clerk’s 2016 audit and stated everything in the Clerk’s office has been done as expected per the NYS Comptroller’s checklist. The report will be filed in the Town Clerk’s Office.

Brooke McPeak, Court Clerk brought to the attention of the Town Supervisor Clerk, Bree Crandell that her payroll had a discrepancy by 1 cent in her hourly wage. Through further research by Bree Crandell, it was discovered that McPeak and a few other hourly employees were affected and the hourly wage will be adjusted accordingly. Councilperson David LeRoy motioned to adjust the hourly wage per Bree Crandell’s request and pay the employees accordingly was seconded by Councilperson Don Ross. Upon roll call the following votes were heard, Supervisor Steven LeRoy, aye; Councilperson David LeRoy, aye; Quinn, aye, and Ross, aye. Motion carried.

***RESOLUTION***

 ***SEQR NEGATIVE DECLERATION***

***(02 03-2017)***

Supervisor LeRoy offered the following resolution for its adoption,

**TOWN OF SODUS**

**TOWN OF SODUS LEASE TO WCWSA**

#  SEQRA Negative Declaration

**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 “Lease Agreement between the Wayne County Water and Sewer Authority and the Town of Sodus”;

**BE IT RESOLVED,** that the Town of Sodus, does hereby find and resolve as follows:

1. The proposed action is subject to the State Environmental Quality Review Act.
2. The proposed action does not involve a Federal agency.
3. The proposed action involves other state agencies.
4. Using the information available and comparing it with the thresholds set forth in section 6 NYCRR 617.4, the action is found to have a preliminary classification of Unlisted.
5. As an Unlisted action, the Short Form EAF (environmental assessment form) has been prepared by the Applicant to determine the significance of the proposed action.
6. The proposed action is not located in a coastal area.
7. The proposed action is not located in an agricultural district.
8. An uncoordinated review for Unlisted actions involving more than one agency has been performed, subject to 617.6 (b)(4).
9. More than one agency is involved, and the Town of Sodus is the lead agent.
10. The Town of Sodus hereby determines that the proposed action will not result in any significant adverse environmental impacts, a Negative Declaration is declared, and the Town hereby directs the Clerk to immediately file the determination in accordance with section 6 NYCRR 617.12.
11. In reaching this finding, the Town has:

(a) Considered the action as defined in sections 6 NYCRR 617.2 (b) and 617.3 (g),

(b) Reviewed the EAF, the criteria contained in subdivision 6 NYCRR 617.7 (c) and any other supporting information to identify the relevant areas of environmental concern,

(c) Thoroughly analyzed the identified relevant areas of environmental concern to determine if the action may have a significant adverse impact on the environment; and,

(d) Set forth its determination of significance in this resolution, in addition to the corresponding long environmental assessment form.

1. In determining significance, the Town has determined whether the proposed Unlisted Action may have a significant adverse impact on the environment, the impacts that may be reasonably expected to result from the proposed action compared against the criteria in 6 NYCRR 617. The criteria considered indicators of significant adverse impacts on the environment were:

(a) A substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;

(b) The removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant wildlife habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to the natural resources;

(c) The impairment of the environmental characteristics of a critical environmental area as designated pursuant to section 617.14 (g);

(d) The creation of a material conflict with a community’s current plans or goals as officially approved or adopted;

(e) The impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character;

(f) A major change in the use of either the quantity or type of energy;

(g) The creation of a hazard to human health;

(h) A substantial change in the use or intensity of use, of land including agricultural, open space or recreational resources or in its capacity to support existing uses;

(i) The encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;

(j) The creation of material demand for other actions that would result in one or the above consequences;

(k) Changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or

(l) Two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria of this subdivision.

1. For the purposes of determining whether an action may cause one of the consequences listed above, the Town considered reasonably related long-term, short-term, direct, indirect, and cumulative impacts, including other simultaneous or subsequent actions, which were;
2. Included in any long range plan of which the action under consideration is a part;
3. Likely to be undertaken as a result thereof, or
4. Dependent thereon.
5. In addition, the Town considered the significance of a likely consequence (i.e., whether it is material, substantial, large or important) should be assessed in connection with:
6. Its setting (e.g., urban or rural);
7. Its probability of occurrence;
8. Its duration;
9. Its irreversibility;
10. Its geographic scope;
11. Its magnitude; and
12. The number of people affected.

**NOW BE IT RESOLVED**, Councilperson David LeRoy motioned for the adoption of this resolution was seconded by Councilperson Jim Quinn. Upon roll call the following votes were heard, Supervisor Steven LeRoy, aye; Councilperson David LeRoy, aye; Quinn, aye: and Ross, aye. Resolution adopted.

***RESOLUTION***

***Re-appointment of Planning and Zoning Board Members (two year term for members, 1 year term for Ad-Hocs***

***(03 03-2017)***

Supervisor LeRoy offered the following resolution for its adoption,

**WHEREAS**, the Town of Sodus has chosen to re-appoint the following Planning and Zoning Board Members as listed, and

**NOW THEREFORE BE IT RESOLVED**, the Sodus Town Board appoints the members listed to the Planning and Zoning Board of Appeals as follows, and

**NOW THEREFORE BE IT FURTHER RESOLVED**, the terms will begin immediately. Councilperson Don Ross motioned to adopt this resolution 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. Resolution adopted.

**ZONING BOARD OF APPEALS TERM**

Kim Buell 2017-2018

Steven Zonneville 2017-2018

John Hayslip 2017-2018

Don Buchwald 2017-2018

Ron Baker (Ad-Hoc) 2017-2017

**PLANNING BOARD TERM**

Mary Zonneville 2017-2018

Ken Eastley-Ad Hoc 2017-2017

Edward Grosz 2017-2018

Jim Webster 2017-2018

Diane Dewispelaere 2017-2018

***RESOLUTION***

***Shared Service Agreement V/SODUS and CODE ENFORCEMENT OFFICER***

***(04 03-2017)***

Supervisor LeRoy offered the following resolution for its adoption,

**WHEREAS**, the Village of Sodus requests Supervisor LeRoy to sign the Shared Service Agreement regarding the Town of Sodus Code Enforcement Officer, Al Hendrikse, and

**NOW THEREFORE BE IT FURTHER RESOLVED**, Councilperson David LeRoy motioned to adopt this resolution and authorize Supervisor LeRoy to sign the agreement 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. Resolution adopted.

WIFI quotes were provided by Dennis Lewis with Innovative for the Sodus Municipal Office. *(provided)*

Councilperson David LeRoy motioned to approve Town Clerk Lori Diver to attend the NYSALGO Conference June 4-June 7, 2017 was seconded by Councilperson Jim Quinn. Upon roll call the following votes were heard Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, abstained. Motion carried.

Discussion was held on a letter received from Ag & Markets regarding the Municipal Shelter Inspection Report. Supervisor LeRoy stated the Town of Sodus shelter is shut down and currently we use the Humane Society if a dog has to be impounded.

*(provided)*

Discussion was held regarding additional security for the Town Clerk’s Office.

Councilperson Don Ross provided copies of examples of Local Laws and Code written regarding Pawn Shops.

**DISSCUSSION:**

1. Discussion on the Town of Sodus Water Department was held. *(info provided)*
2. Discussion on the Lenten Breakfast and the Town of Sodus. *(info provided)*

**FYI:**

1. Zoning and Planning Minutes
2. Monthly Report from Sheriff’s Office

**EXECUTIVE SESSION:**

Councilperson Don Ross motioned to enter into Executive Session at 8:30 pm to discuss a litigation of property was seconded by Councilperson David LeRoy. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye. Motion carried.

Councilperson David LeRoy motioned to exit out of Executive Session at 8:40 pm was seconded by Councilperson Jim Quinn. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye. Motion carried.

Councilperson David LeRoy motioned to enter into Regular Session at 8:41 pm was seconded by Councilperson Don Ross. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye. Motion carried.

Councilperson David LeRoy motioned for Al Hendrikse to write a letter to Gerald McMinn notifying him that Town of Sodus has agreed to hire ALPCO to clean his property with police presence at all times was seconded by Councilperson Don Ross. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye. Motion carried.

Councilperson Don Ross motioned to re-enter into Executive Session at 8:45 pm to discuss a litigation of property was seconded by Councilperson David LeRoy. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye. Motion carried.

Councilperson David LeRoy motioned to exit out of Executive Session at 9:30 pm was seconded by Councilperson Jim Quinn. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye. Motion carried.

Councilperson David LeRoy motioned to enter into Regular Session at 9:31 pm was seconded by Councilperson Don Ross. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye. Motion carried.

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

Meeting adjourned at 9:32 PM

Recording Secretary,

Lori K. Diver

Sodus Town Clerk