**MINUTES**

Minutes of the Regular Town Board Meeting commencing 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 (Deputy Supervisor)

Kelly Grey, Councilperson

Jim Quinn, Councilperson

Don Ross, Councilperson

Recording Secretary: Lori Diver, Town Clerk

Absent Dale Pickering, Highway Superintendent

Others Present: Trevor Davey, Camp Beechwood

John Addyman, Sun & Record

Kim Buell, Town of Sodus Zoning Member

Al Hendrikse, Code Enforcement

Nathan Mack, Assessor

Supervisor LeRoy called the Regular Town Board Meeting with the Pledge of Allegiance, commencing at 7:00 pm.

***MINUTES***

Councilperson Don Ross motioned to approve the Minutes of the ***June 14, 2017***

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

Councilperson Kelly Grey motioned to approve the Minutes of the ***June 29, 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; Grey, aye; Ross, aye. Motion carried.

Councilperson Jim Quinn motioned to approve the Minutes of the ***June 29, 2017*** ***South Geneva Water District Informational Meeting*** was seconded by Councilperson Kelly Grey. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Grey, aye; Ross, aye. Motion carried.

Councilperson Jim Quinn motioned to approve the Minutes of the ***June 29, 2017*** ***Water District No. 11 Informational Meeting*** was seconded by Councilperson Don Ross.

Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Grey, abstained; Ross, aye. Motion carried.

***SUPERVISOR’S REPORT***

The Supervisor’s Report for June 2017 will be tabled until the August 2017 Regular Town Board Meeting.

***TOWN CLERK’S REPORT***

The Town Clerk’s Reports, Town Clerk’s bank statements for audit and bank register for June 2017 were presented. Councilperson David LeRoy motioned to accept and file this report, which was seconded by Councilperson Kelly Grey. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Grey, aye; Ross, aye. Motion carried

***ABSTRACT***

***RESOLUTION TO PAY ABSTRACT No. 13***

***(01 07-2017)***

**WHEREAS,** the following bills were presented for payment on Abstract 13:

General 312-332 $ 8,139.56

Highway 209-223 $ 6,541.36

Special Districts 27-27 $ 884.44

**GRAND TOTAL: $ 15,565.36**

**NOW BE IT RESOLVED**, Councilperson David LeRoy motioned to approve payment of these bills as reviewed for Abstract No. 13, which was seconded by Councilperson Don Ross. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Grey, aye; Ross, aye. Motion carried

**EXECUTIVE SESSION:**

Councilperson David LeRoy motioned to enter into Executive Session at 7:05 pm pending litigation was seconded by Councilperson Jim Quinn. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Grey, aye; Ross, aye. Motion carried

Councilperson Kelly Grey motioned to exit out of Executive Session at 7:15 pm and enter back into Regular Session was seconded by Councilperson David LeRoy. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Grey, aye; Ross, aye. Motion carried.

**PUBLIC COMMENTS**

*N/A*

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

Councilperson Don Ross discussed highlights of his Public Safety/Drainage/Environment Committee report for June 2017.

Reports from the Wallington Fire Department and the Sodus Town Ambulance Corp. were submitted for the Town Board.

Councilperson Ross discussed the recommendations from the Sodus Town Planning Board regarding Town Code “Keeping Large Animals.” *(Provided)*

**KEEPING OF LARGE ANIMALS:**

**Recommendations from the Sodus Town Planning Board (Pages 3-5)**

A. The following regulations apply to all districts that allow large animals:

[**(1)**](http://www.ecode360.com/27314712#27314712)

Manure shall not be allowed to accumulate so as to cause a hazard to the health, safety or welfare of humans and/or animals. The outside storage of manure in piles shall not be permitted within 100 feet of any property line.

[**(2)**](http://www.ecode360.com/27314713#27314713)

The applicant shall provide a specific plan to the Planning Board which includes the physical containment and location for manure storage and/or a disposal program which minimizes odor and fly impacts in adjacent parcels. The spreading and tilling of manure into the soil of paddock, pasture or arena areas may be considered manure disposal.

[**(3)**](http://www.ecode360.com/27314714#27314714)

Any large animal shall be enclosed in a pen, corral or run area and confined by a chain link fence or other fence constructed of similarly effective material, except when necessary to remove them for training, breeding or other similar purposes. All pasture and animal storage areas shall be enclosed with fences or walls of a minimum of four feet six inches in height. The design of these enclosures shall be shown on drawings submitted with the use permit application.

[**(4)**](http://www.ecode360.com/27314715#27314715)

The front setback for accessory buildings housing large animals shall be at least 75 feet from the front lot line. Under no circumstance shall a stable or other structure housing large animals be located closer to the street than the primary structure located on the property. All other accessory structures shall adhere to the setback requirements of the district in which they are permitted.

[**(5)**](http://www.ecode360.com/27314716#27314716)

The side and rear setback for the keeping of large animals must be consistent with the minimum setbacks for large animal fencing.

[**(6)**](http://www.ecode360.com/27314717#27314717)

Dwelling units, accessory structures incidental to dwelling units, and irrigated pasture may occur within the seventy-five-foot setback area subject to the setback requirements of the applicable zoning district.

[**(7)**](http://www.ecode360.com/27314718#27314718)

Large animals may not be kept on vacant lots situated between two existing residential properties.

[**(8)**](http://www.ecode360.com/27314719#27314719)

Refer to § [**178-39**](http://www.ecode360.com/12933580#12933580) for additional regulations pertaining to fencing.

[**B.**](http://www.ecode360.com/12933624#12933624)

The following regulations shall apply to all districts that allow private stables and commercial stables:

[**(1)**](http://www.ecode360.com/27314720#27314720)

The minimum property size for a private or commercial stable shall be two acres plus one additional acre for every horse. The minimum lot size for one horse shall therefore be two acres.

[**(2)**](http://www.ecode360.com/27314721#27314721)

There shall be no shows or other activities which would generate more traffic than is normal to a residential area. Permission for such shows and activities may be obtained from the Planning Board. Notification shall be provided in a letter that explains the nature and duration of the activity and accommodations for spectators, traffic and additional parking for cars and trailers. This letter shall be submitted to the Town Clerk at least one month prior to the date of the show or activity.

[**(3)**](http://www.ecode360.com/27314722#27314722)

All laws applicable to the public health must be complied with for the entire period of operation of the stable.

[**(4)**](http://www.ecode360.com/27314723#27314723)

Upon renovation of the use permit or abandonment of a commercial stable operation, any accessory residential structures constructed for the housing of employees of the commercial stable operation shall be removed.

#### [Section TBD Large-scale developments.](http://www.ecode360.com/27318508#12933625)

[**A.**](http://www.ecode360.com/12933626#12933626)

Large-scale developments include any permitted land use which can be expected to generate more than 300 vehicular trips per day.

[**B.**](http://www.ecode360.com/12933627#12933627)

Large-scale developments shall not be permitted when the following conditions appear likely to result:

[**(1)**](http://www.ecode360.com/27314724#27314724)

Traffic congestion which will exceed the present capacity of the Town's road system.

[**(2)**](http://www.ecode360.com/27314725#27314725)

An overburdening of the Town's utility or municipal services.

[**(3)**](http://www.ecode360.com/27342885#27342885)

A concentration of people or facilities in a proportion likely to alter the character of the Town as provided for in the Williamson General Plan.

#### [Section TBD Large animal fencing.](http://www.ecode360.com/27318508#12933636)

[Amended 10-11-2016 by L.L. No. 1-2016]

Regulations for livestock fencing are as follows:

[**A.**](http://www.ecode360.com/12933637#12933637)

Materials. A fence of wood, iron, chain link, wood and iron rods or wire and stone, at least four feet high and not to exceed six feet in height, shall be deemed a lawful fence. No fence of any kind which is composed in whole or in part of, or to which there is or has been added, barbed wire, razor wire or any barbed wire type of fencing material shall be permitted in any district without prior approval of the Town Planning Board.

Supervisor LeRoy stated he would like the revision to state, “4 Acres must be available to the horse.” LeRoy asked that Councilperson Ross propose this to the Planning Board and table this until the next Regular Town Board Meeting. The Board agreed.

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

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

***CODE ENFORCEMENT REPORT:***

*(Al Hendrikse, Code Enforcement Office)*

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

***CAMP BEECHWOOD REPORT:***

*(Trevor Davey, Camp Beechwood Caretaker)*

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

***DOG CONTROL OFFICER REPORT:***

*(Thomas Luckenbach, DCO)*

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

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

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

***Highway Report***

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

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

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

***(Recreation, Assessor)***

***Recreation Report***

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

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

***RESOLUTION***

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

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

***FOR THE YEAR 2017***

***(02 07-2017)***

Supervisor LeRoy offered the following resolution for its adoption,

WHEREAS, Sodus Benton Place Estates, L.P. has commenced a proceeding pursuant to Article 7 of the Real Property Tax Law for the year 2017 in Wayne County Supreme Court under index number 81072, 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 591-15 dated October 20, 2015 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 an assessed value in excess of $350,000 and the petitioner is desirous of either a change of assessment of ten (10) percent or a change of at least $50,000 less than the assessed value, to wit: assessment of $840, 000 is sought to be reduced to $480,00 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 2017, 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.

**RESOLVED**, the Sodus Town Board authorizes Nathan Mack, Assessor to continue litigation procedures relative to Benton Place at a cost equal to 25% of total legal and appraisal fees, and

**NOW BE IT RESOLVED**, Councilperson Kelly Grey motioned to adopt resolution *(02 07-2017)* was seconded by Councilperson Jim Quinn. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Grey, aye; Ross, aye. Resolution Adopted.

***RESOLUTION***

**“MOORE THAN A RACE”**

***(03 07-2017)***

Supervisor LeRoy offered the following resolution for its adoption,

**WHEREAS*,*** Reliant Community Federal Credit Union is asking the Town of Sodus permission to utilize Town of Sodus Roads for “Moore than a Race” 10K and 5K run on October 15, 2017, and

**NOW BE IT RESOLVED,** the Sodus Town Board approves of Reliant Community Credit Union to utilize Town Roads and for Supervisor LeRoy to sign municipal approval for the single county speed race on October 15, 2017 starting at 12:00 pm for the 10K, 12:30 pm for the 5K race, and 12:35pm for the 1-mile walk, and

**FURTHER BE IT RESOLVED,** Councilperson David LeRoy motion to adopt the resolution *(03 07-2017)*, which was seconded by Councilperson Jim Quinn. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Grey, aye; Ross, aye. Resolution Adopted.

***RESOLUTION***

***MAIN STREET JOY BRIDGE***

***(04 07-2017)***

Supervisor LeRoy offered the following resolution for its adoption,

**WHEREAS,** Kevin Rooney, Wayne County Highway Superintendent asked the Sodus Town Board if they would review and award BID to Clark Patterson Lee Engineers, and

**RESOLVED**, the Sodus Town Board awards BID to Clark Paterson Lee for engineering services relating to the Main St. Joy Bridge over Salmon Creek for the sum of $46,305.11, and

**NOW BE IT RESOLVED**, Councilperson Jim Quinn motioned to adopt resolution *(04 07-2017)* was seconded by Councilperson Don Ross. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Grey, aye; Ross, aye. Resolution Adopted.

**DISSCUSSION:**

1. Supervisor LeRoy updated the community and the Sodus Town Board on the flood situation in Sodus Point, NY. LeRoy stated, the National Guardsman, The County Highway Department, our Town of Sodus Highway Department, the Wayne County Sheriff, and neighboring Towns and communities have all made a huge impact in Sodus Point and with all their efforts they have helped Sodus Point and have worked very hard. KUDOS to all! In Governor Cuomo’s Bill he is offering a total of $45,000,000.00. The breakdown is as follows:

$15,000,000.00 will be for residents along the lakeshore affected by the flooding, $15,000,000.00 will be given to municipalities and $15,000,000.00 for businesses.

1. Supervisor LeRoy discussed with the Sodus Town Board possible shared services between the Town of Sodus, Village of Sodus, and Sodus Central School District. In addition, Councilperson Ross suggested he would like to see a solar generating venture within the shared services building project on Hill Road. This would offset much of the cost and make it “greener” as an added bonus.
2. Supervisor LeRoy discussed electronic speed signs in the Town of Sodus. More will need to be researched on the requirements for these signs and our community.

**FYI:**

1. Zoning and Planning Minutes *(provided)*
2. Letter from Association of Towns regarding NYS Volunteer Firefighters Enhanced Cancer Disability Benefits Act *(provided)*
3. Letter from Mayor David Englert *(provided).*

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

Meeting adjourned at 8:02 PM

Recording Secretary,

Lori K. Diver

Sodus Town Clerk