**DRAFT MINUTES**

Minutes of the Public Hearing-Special Town Board Meeting of the Sodus Town Board held November 6, 2017 beginning at 7:00 pm in the Sodus Court Room located at 14-16 Mill St. Sodus, NY 14551

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

Present: Steven M. LeRoy, Town Supervisor

David LeRoy, Deputy Supervisor-Councilperson

Jim Quinn, Councilperson

Don Ross, Councilperson

Recording Secretary: Lori Diver, Sodus Town Clerk

Absent: N/A

Others Present: Dale Pickering, Highway Superintendent

David Fulvio, Town Attorney

Belinda McElroy-Sodus Resident

Supervisor LeRoy opened the meeting and Public Hearing at 7:00 pm in the Sodus Court Room with the Pledge of Allegiance.

**PUBLIC HEARING:**

**TOWN OF SODUS**

**LEGAL NOTICE**

***PUBLIC HEARING FOR:***

***“THE 2018 PRELIMINARY BUDGET”***

***AND***

***IMMEDIATELY FOLLOWING:***

***SPECIAL TOWN BOARD MEETING***

**NOTICE IS HEREBY GIVEN,** that the Preliminary Budget for the Town of Sodus , New York, for the fiscal year beginning January 1, 2018 has been completed and filed in the office of the Town Clerk of the Town of Sodus where it is available for inspection by any interested person at all reasonable hours; and

**FURTHER NOTICE,** is hereby given that the Town Board of the Town of Sodus will meet to review said budget and hold a Public Hearing on Monday November 6, 2017 at 7:00 pm in the Sodus Town Court Room, 14-16 Mill Street, Sodus, NY 14551, at which time and place any persons may be heard in favor or against any items therein contained; and

**WHEREAS,** pursuant to Town Law, the proposed salaries of the following officers are hereby specified as follows:

**Elected Officials:**

Town Board        4 each        5,360.00 each total $ 21,440.00

Town Justices    2 each       23,730.00 each total $ 47,460.00

Town Supervisor 1 each   38,881.00 each total       $ 38,881.00

Town Clerk 1 each      44,924.00 each total      $ 44,924.00

***(Included in the Town Clerk’s salary: $1500.00 for Tax Collection & $3,000.00 for Vital Registrar however, are separate paid positons)***

Highway Supt.   1 each      56,441.00 each total       $ 56,441.00

The Sodus Town Board will then meet for a Special Board Meeting immediately following the Public Hearing for the 2018 Preliminary Budget in the Sodus Town Court Room.

All meetings are open to the public.

Date: October 20, 2017

By Order of the Sodus Town Board,

Lori Diver

Sodus Town Clerk, RMC

Supervisor LeRoy asked Lori Diver, Sodus Town Clerk to read legal notice for the Public Hearing of the 2018 Preliminary Budget.

Belinda McElroy made a couple comments about the town tax rate staying under the 2018 tax cap.

Supervisor LeRoy closed the Public Hearing at 7:09 pm, hearing no further public comments.

**SPECIAL BOARD MEETING:**

***RESOLUTION***

**Amendment 2018 Preliminary Budget**

***(01 11-2017)***

Supervisor LeRoy offered the following resolution for its adoption:

WHEREAS, the Sodus Town Board needs to make the following changes to the Preliminary Budget as follows, and

**1. A 1355.1 Assessor salary change from $ 53,519 back to what he is making now which is $52,000. Raise will be given on next PR after reaching anniversary date.**

**2. A 1355.41. Increase from $ 2,000 to $ 5,000 due to anticipated # of days because of it being a revaluation year.**

**3. Increase A Appropriated Fund Balance on Tax Rate Page from $ 65,000 to $75,000.**

**4. Increase DB Appropriate. Fund Balance from $ 0.00 up to $ 25,000 on tax rate page.**

RESOLVED, the Sodus Town Board moves for the adoption of the following amended changes listed above, and

**NOW BE IT RESOLVED**, Councilperson Jim Quinn motioned to move for the adoption of the changes for the amended items listed above in resolution ***(01 11-2017)*** Councilperson David LeRoy. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye. Resolution adopted.

***RESOLUTION***

**2018 Budget**

***(02 11-2017)***

Supervisor LeRoy offered the following resolution for its adoption:

WHEREAS, the Sodus Town Board will move to pass the 2018 Budget as presented to the Sodus Town Board Final Draft by Internal Auditor-Budget Designer Kim Leonard, and

**NOW BE IT RESOLVED**, Councilperson David LeRoy motioned to move for the adoption of the 2018 Town of Sodus Budget ***(02 11-2017)*** was seconded by Councilperson Jim Quinn. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, nay. Resolution adopted.

***ABSTRACT***

***RESOLUTION TO PAY ABSTRACT No. 20***

***(03 11-2017)***

**WHEREAS,** the following bills were presented for payment on Abstract 20:

General 499-523 $ 19,713.98

Highway 294-307 $ 47,328.29

Special Districts 34-34 $ 969.16

**GRAND TOTAL: $ 68,011.43**

**NOW BE IT RESOLVED**, Councilperson Don Ross motioned to approve payment of these bills as reviewed for Abstract No. 20, 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.

***RESOLUTION***

***SOUTH GENEVA WATER DISTRICT PROJECT***

***(04 11-2017)***

Supervisor LeRoy offered the following resolution for its adoption,

WHEREAS, per Katie Villani Town of Sodus Attorney, advised Town Clerk Lori Diver that the Final Order Resolution needs to be rescinded for South Geneva Water District Project, and

WHEREAS, the date of the original resolution was October 10, 2017 at the Regular Town Board Meeting, and

**NOW BE IT RESOLVED**, Councilperson David LeRoy motioned to rescind the resolution listed above was seconded by Councilperson Don Ross. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye. Resolution adopted.

***RESOLUTION***

RESOLUTION AND FINAL ORDER CREATING

SODUS SOUTH GENEVA ROAD WATER DISTRICT

***(05 11-2017)***

Supervisor LeRoy offered the following resolution for its adoption,

At a duly noticed and held meeting of the Town Board of the Town of Sodus, New York held at the Town Offices, 14-16 Mill Street, Sodus, New York on November 6, 2017, the following resolution and Order was introduced by Council Member David LeRoy and seconded by Council Member Jim Quinn and unanimously adopted ***(see below)***.

WHEREAS, Section 209 of the Town Law of the State of New York empowers the Town Board of the Town of Sodus to provide for the establishment in the Town of Sodus a Water District, and

WHERAS, a map, plan and report have been prepared by the Towns Engineers, MRB Engineering, P.C., David M. Doyle, P.E., relating to the proposed Sodus South Geneva Road Water District in the Town of Sodus and the construction of related improvements; and

WHEREAS, an Order Calling a Public Hearing was duly adopted by this Town Board on July 25, 2017, reciting the filing of said map, plan and report, the improvements proposed, the boundaries of the proposed district, the fact that the map, plan and report described in said Order also contained the method of financing any improvements, and that said map, plan and report were on file in the Town Clerk's Office for public inspection, and stating all other matters required by law to be stated and specifying July 25, 2017, as the date, at 7:00 p.m. on said day as the time, and the Town Hall, 14-16 Mill Street, Sodus, New York as the place where the Town Board would meet for a Public Hearing to consider said map, plan and report, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law; and

WHEREAS, such Order was duly published in the official newspaper for the Town and duly posted, with both Publication and Posting in full compliance with Town Law 209‑d; and

WHEREAS, a Public Hearing on the proposed Sodus South Geneva Road Water District was duly held by the Town Board on July 25, 2017 at 7:00 p.m. on said day, in the Town Hall, 14-16 Mill Street, Sodus, New York, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the proposed Water District and construction of related improvements; and

WHEREAS, in connection with Sodus South Geneva Road Water District, a Full Environmental Assessment Form was filed with the Town Board and in the office of the Town Clerk from which the Town Board duly considered and reviewed all potentially significant environmental impacts as required by Environmental Conservation Law Article 8 (State Environmental Quality Review ActSEQRA and 6 NYCRR Part 617); and

WHEREAS, by Resolution dated August 9, 2017, the Town Board declared itself Lead Agent, adopted findings that the proposed Water District will give rise to no adverse environmental impacts, and issued a Negative Declaration under SEQRA; and

WHEREAS, The Town Board having duly resolved and determined following such hearing that the notice of hearing was published and posted as required by law and otherwise sufficient, that all the property and property owners within the proposed district were benefitted thereby, that all property and property owners benefitted were included within the limits of the proposed district, and that it was in public interest to grant in whole the relief sought, and it having been then and there further duly resolved that the establishment of such district as proposed be approved, subject to permissive referendum in the manner provided in Town Law Article 7; and said resolution subject to permissive referendum having been duly noticed and posted as required by law, and a certificate of the Town Clerk having been filed pursuant to Town Law 209‑e(4), certifying that no petition was filed requesting such a referendum, it is hereby

ORDERED, that the proposed water district be established in the Town to be designated as Sodus South Geneva Road Water District of the Town and the boundaries of said water district as hereby established shall be as described in Schedule A attached hereto, and it is further

ORDERED, that pursuant to the provisions of the Town Law of the State of New York, the expense of the establishment of said Sodus South Geneva Road Water District and the construction of said water distribution system therein and the maintenance thereof shall be assessed, levied and collected from year to year from the several lots and parcels of land within the Water District in proportion as nearly as may be to the benefit which each lot or parcel of land in said District will derive therefrom, and it is further

ORDERED, that the Town Clerk is hereby authorized and directed to cause a certified copy of this order to be duly recorded in the office of the Wayne County Clerk within ten (10) days after the adoption of this order, and it is further

ORDERED, that the Town Clerk is hereby authorized and directed to file a certified copy of this order in the Office of the State Department of Audit and Control, Albany, New York, within ten (10) days after the adoption of this order.

Councilperson David LeRoy motioned to hold a public hearing to consider whether the Town of Sodus should accept dedication of Briscoe Cove Rd and Gates Drive which appears on a filed plat at 7:15 p.m. December 12, 2017 in the Sodus Town Court Room and to advertise the same was seconded by Councilperson Don Ross. Upon roll call the following votes were heard, Supervisor Steven LeRoy, aye; Councilperson LeRoy, aye; Quinn, aye; and Ross, aye. Motion carried.

**EXECUTIVE SESSION:**

Councilperson Jim Quinn motioned to enter into Executive Session at 7:30 pm to discuss a personnel issue relative to particular individuals was seconded by Councilperson Don Ross. Upon roll call the following votes were heard, Supervisor Steven LeRoy, aye; Councilperson LeRoy, aye; Quinn, aye; and Ross, aye. Motion carried.

Councilperson David LeRoy motioned to exit out of Executive Session and enter into Regular Session at 8:20 pm was seconded by Councilperson Jim Quinn. Upon roll call the following votes were heard, Supervisor Steven LeRoy, aye; Councilperson LeRoy, aye; Quinn, aye; and Ross, aye. Motion carried.

Councilperson Jim Quinn motioned to adjourn the meeting was seconded by Councilperson David LeRoy. Upon roll call the following votes were heard, Supervisor Steven LeRoy, aye; Councilperson LeRoy, aye; Quinn, aye; and Ross, aye. Motion carried.

Meeting adjourned at 8:20 p.m.

Recording Secretary,

Lori Diver

Sodus Town Clerk, RMC