**DRAFT MINUTES**

Minutes of the Regular Town Board Meeting December 12, 2017 commencing at 7:00 pm in the Sodus Town Court 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)

Jim Quinn, Councilperson

Don Ross, Councilperson

Recording Secretary: Stacie Avery, Deputy Town Clerk

Absent : Trevor Davey, Camp Beechwood

 Al Hendrikse, Code Enforcement Officer

 Lori Diver, Sodus Town Clerk

Others Present: Dale Pickering, Highway Superintendent

 David Fulvio, Town Attorney

 Kim Buell, Town of Sodus Zoning Member

 John Addyman, Sun & Record

 Christ Tertinek, Sodus Point Mayor

 Dave Reynolds- T/Sodus Resident

 Carmen Scoppa- T/Sodus Resident

 Lorilyn Reynolds- T/Sodus Resident

 Scott Johnson- T/Sodus Councilman Elect

 James & Arlene Gashlin- T/Sodus Resident

 Evan Jackson- T/Sodus Resident

 Kelly Allen- T/Sodus Resident

 Tom Jackson- T/Sodus Resident

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

***MINUTES***

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

***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; Ross, aye. Motion carried.

Councilperson Jim Quinn motioned to approve the Minutes of the ***November 28, 2017*** ***Regular Month End 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 November 2017 *(including all town-wide expenditures and compensated & absences)* was not available for review. The report will be available for review at the Year End Meeting in December.

***TOWN CLERK’S REPORT***

The Town Clerk’s Reports, Town Clerk’s bank statements for audit and bank register for November 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.

***ABSTRACT***

 ***RESOLUTION TO PAY ABSTRACT No. 23***

***(01 12-2017)***

**WHEREAS,** the following bills were presented for payment on Abstract 23:

 General 546-575 $ 14,197.01

 Lighting Districts 35-35 $ 980.37

Highway 335-358 $ 35,030.07

 **GRAND TOTAL: $ 50,207.45**

**NOW BE IT RESOLVED**, Councilperson David LeRoy motioned to approve payment of these bills as reviewed for Abstract No. 23, 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. Resolution adopted.

**PUBLIC HEARING BRISCOE COVE AND GATES DRIVE 7:15 PM:**

Supervisor Steven LeRoy opened the Public Hearing at 7:15 pm and asked Sodus Town Deputy Clerk Stacie Avery to read the Public Notices on Briscoe Cove & Gates Drive as follows:

LEGAL NOTICE

TOWN OF SODUS

NOTICE OF PUBLIC HEARING

TO CONSIDER WHETHER THE TOWN OF SODUS

SHOULD ACCEPT DEDICATION OF BRISCOE COVE ROAD

WHICH APPEARS ON A FILED PLAT

 PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Sodus on the 12th day of December, 2017 at 7:15 p.m. at the Sodus Town Hall Court Room, 14-16 Mill Street, Sodus, New York to hear and consider comments from the public in regard to:

Whether and under what conditions the Town of Sodus should accept dedication of Briscoe Cove Road in the Town of Sodus as shown on a subdivision map of the Briscoe Beach subdivision made by LeGrand Brown C.E. dated October, 1903, and filed in the office of the Wayne County Clerk on June 20, 1905, as authorized by New York Town Law §279(4).

 Copies of the map are available for inspection at the Sodus Town Clerk’s Office during regular business hours 9:00 a.m. to 5:00 p.m. Monday – Friday 14-16 Mill St. Sodus, NY 14551.

BY ORDER OF THE TOWN BOARD

OF THE TOWN OF SODUS

Lori K. Diver, Town Clerk

Dated: November 9, 2017

LEGAL NOTICE

TOWN OF SODUS

NOTICE OF PUBLIC HEARING

TO CONSIDER WHETHER THE TOWN OF SODUS

SHOULD ACCEPT DEDICATION OF GATES DRIVE

WHICH APPEARS ON A FILED PLAT

 PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Sodus on the 12th day of December, 2017 at 7:15 p.m. in the Sodus Town Hall Court Room, 14-16 Mill Street, Sodus, New York to hear and consider comments from the public in regard to:

Whether and under what conditions the Town of Sodus should accept dedication of Gates Drive in the Town of Sodus as shown on a revised subdivision map of John Gates Farm prepared by Harnish & Lookup on July 6, 1945, and filed in the office of the Wayne County Clerk on July 14, 1945 as MAP 1042, as authorized by New York Town Law §279(4).

 Copies of the map are available for inspection at the Sodus Town Clerk’s Office 14-16 Mill St. Sodus, NY 14551 during normal business hours 9:00 a.m. – 5:00 p.m. Monday-Friday.

BY ORDER OF THE TOWN BOARD

OF THE TOWN OF SODUS

Lori K. Diver, Town Clerk

Dated: November 9, 2017

Supervisor Steven LeRoy closed the Public Hearing.

***RESOLUTION***

 ***RESOLUTION FOR PUBLIC HEARING BRISCOE COVE ROAD***

***(02 12-2017)***

 At a regular meeting of the Town Board of the Town of Sodus, Wayne County, New York, duly held at the Sodus Town Offices located at 14-16 Mill Street, Sodus, New York in the Town of Sodus, New York, on the 12 day of December, 2017.

 PRESENT: Steven LeRoy, Supervisor

 David LeRoy, Councilman

 Jim Quinn, Councilman

 Don Ross, Councilman

 ABSENT: N/A

 Councilman David LeRoy motioned to approve the resolution and duly moved that it be adopted and was seconded by Jim Quinn: Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye. Resolution adopted.

 WHEREAS, Briscoe Cove Road in the Town of Sodus, Wayne County, New York, is known and identified as “road” on a subdivision map of the Briscoe Beach subdivision made by LeGrand Brown C.E. dated October, 1903, and filed in the office of the Wayne County Clerk on June 20, 1905. A copy of said subdivision map is annexed hereto as Exhibit A and made a part hereof, and

 WHEREAS, thereafter, lots were sold to various individuals and the subdivision developed as set forth in the above referenced subdivision map, and

 WHEREAS, residents along such roadway have requested that the Town perform some snowplowing and other maintenance to such road, and

 WHEREAS, the Town has been advised that it is without authority to perform maintenance upon such roadway prior to dedication of such roadway to the Town of Sodus and acceptance of such dedication by the Town of Sodus, and

 WHEREAS, many residents along said roadway have requested that the Town of Sodus accept dedication of said roadway with a level of maintenance to be determined, and

 WHEREAS, Section 279 of the Town Law of the State of New York provides:

 § 279. Subdivision review; record of plats

 1. Filing of plat with county clerk or register.

(a) No plat of a subdivision of land showing lots, blocks or sites, shall be filed or recorded in the office of the county clerk or register until it has been approved by a planning board which has been empowered to approve such plats. Further, such approval must be endorsed in writing on the plat in such manner as the planning board may designate.

(b) Such endorsement shall stipulate that the plat does not conflict with the county official map, where one exists, or, in cases where plats do front on or have access to or are otherwise related to roads or drainage systems shown on the county official map, that such plat has been approved in the manner specified by subdivision two of section two hundred thirty-nine-f of the general municipal law.

2. Notification of filing. It shall be the duty of the county clerk or register to notify the planning board in writing within three days of the filing or recording of any plat approved by such planning board, identifying such plat by its title, date of filing or recording, and official file number.

3. Effect of filing. After such plat is approved and filed, the streets, highways and parks shown on such plat shall be and become a part of the official map or plan of the town.

 4. Cession or dedication of streets, highways or parks.

(a) All streets, highways or parks shown on a filed or recorded plat are offered for dedication to the public unless the owner of the affected land, or the owner’s agent, makes a notation on the plat to the contrary prior to final plat approval. Any street, highway or park shown on a filed or recorded plat shall be deemed to be private until such time as it has been formally accepted by a resolution of the local legislative body, or until it has been condemned by the town for use as a public street, highway or park.

(b) In the event that such approved plat is not filed or recorded prior to the expiration date of the plat approval as provided in section two hundred seventy-six of this article, then such offer of dedication shall be deemed to be invalid, void and of no effect on and after such expiration date.

Now therefore, be it resolved that a public hearing shall be held at the Sodus Town Offices located at 14-16 Mill Street, in the Town of Sodus, New York on the 12 day of December, 2017 at 7:15 pm, and be it further

Resolved, that this resolution, or a summary hereof, shall be published in full by the Town Clerk of the Town of Sodus, and such publication shall be in each official newspaper of the Town, in the manner prescribed by law.

The motion having been duly seconded, it was adopted and the following votes were cast:

AYES NAYS

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STATE OF NEW YORK }

 } ss:

COUNTY OF WAYNE }

 I, the undersigned town clerk of the Town of Sodus, DO HEREBY CERTIFY as follows:

 1. A regular meeting of the Town Board of the Town of Sodus, Wayne County, State of New York, was held on November 6, 2017, and Minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Town Board.

 2. I have compared the attached Extract with said Minutes so recorded and said Extract is a true copy of said Minutes and of the whole thereof insofar as said Minutes relate to matters referred to in said Extract.

 3. Said Minutes correctly state the time and place when said Meeting was convened and the place where such meeting was held and the members of said Board who attended said Meeting.

 4. Public Notice of the time and place of said Meeting was duly posted and duly given to the public and the news media in accordance with the Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, and that all members of said Town Board had due notice of said Meetings and that the Meeting was in all respects duly held and a quorum was present and acted throughout.

 5. IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of the Town of Sodus this 12 day of December, 2017.

***RESOLUTION***

 ***RESOLUTION FOR PUBLIC HEARING GATES DRIVE ROAD***

***(03 12-2017)***

At a regular meeting of the Town Board of the Town of Sodus, Wayne County, New York, duly held at the Town Offices located at 14-16 Mill Street, Town of Sodus, New York on the 12 day of December, 2017.

 PRESENT: Supervisor Steven M. LeRoy

 Councilman David LeRoy

 Councilman Jim Quinn

 Councilman Don Ross

 ABSENT: Zero

 Councilman David LeRoy motioned to approve the resolution and duly moved that it be adopted and was seconded by Jim Quinn: Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye. Resolution adopted.

 WHEREAS, Gates Drive in the Town of Sodus, Wayne County, New York, is known and identified as “road” on a revised subdivision map of John Gates Farm prepared by Harnish & Lookup on July 6, 1945, and filed in the office of the Wayne County Clerk on July 14, 1945 as MAP 1042. A copy of said subdivision map is annexed hereto as Exhibit A and made a part hereof, and

 WHEREAS, thereafter, lots were sold to various individuals and the subdivision developed as set forth in the above referenced subdivision map, and

 WHEREAS, residents along such roadway have requested that the Town perform some snow plowing and other maintenance to such road, and

 WHEREAS, the Town has been advised that it is without authority to perform maintenance upon such roadway prior to dedication of such roadway to the Town of Sodus and acceptance of such dedication by the Town of Sodus, and

 WHEREAS, many residents along said roadway have requested that the Town of Sodus accept dedication of said roadway with a level of maintenance to be determined, and

 WHEREAS, Section 279 of the Town Law of the State of New York provides:

 § 279. Subdivision review; record of plats

 1. Filing of plat with county clerk or register.

(a) No plat of a subdivision of land showing lots, blocks or sites, shall be filed or recorded in the office of the county clerk or register until it has been approved by a planning board which has been empowered to approve such plats. Further, such approval must be endorsed in writing on the plat in such manner as the planning board may designate.

(b) Such endorsement shall stipulate that the plat does not conflict with the county official map, where one exists, or, in cases where plats do front on or have access to or are otherwise related to roads or drainage systems shown on the county official map, that such plat has been approved in the manner specified by subdivision two of section two hundred thirty-nine-f of the general municipal law.

2. Notification of filing. It shall be the duty of the county clerk or register to notify the planning board in writing within three days of the filing or recording of any plat approved by such planning board, identifying such plat by its title, date of filing or recording, and official file number.

3. Effect of filing. After such plat is approved and filed, the streets, highways and parks shown on such plat shall be and become a part of the official map or plan of the town.

 4. Cession or dedication of streets, highways or parks.

(a) All streets, highways or parks shown on a filed or recorded plat are offered for dedication to the public unless the owner of the affected land, or the owner’s agent, makes a notation on the plat to the contrary prior to final plat approval. Any street, highway or park shown on a filed or recorded plat shall be deemed to be private until such time as it has been formally accepted by a resolution of the local legislative body, or until it has been condemned by the town for use as a public street, highway or park.

(b) In the event that such approved plat is not filed or recorded prior to the expiration date of the plat approval as provided in section two hundred seventy-six of this article, then such offer of dedication shall be deemed to be invalid, void and of no effect on and after such expiration date.

Now therefore, be it resolved that a public hearing shall be held at the Sodus Town Offices located at 14-16 Mill Street, Town of Sodus, New York on the 12 day of December, 2017 at 7:15 pm, and be it further

Resolved, that this resolution, or a summary hereof, shall be published in full by the Town Clerk of the Town of Sodus, and such publication shall be in each official newspaper of the Town, in the manner prescribed by law.

The motion having been duly seconded, it was adopted and the following votes were cast:

 AYES NAYS

 5 0

STATE OF NEW YORK }

 } ss:

COUNTY OF WAYNE }

 I, the undersigned town clerk of the Town of Sodus, DO HEREBY CERTIFY as follows:

 1. A regular meeting of the Town Board of the Town of Sodus, Wayne County, State of New York, was held on December 12, 2017, and Minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Town Board.

 2. I have compared the attached Extract with said Minutes so recorded and said Extract is a true copy of said Minutes and of the whole thereof insofar as said Minutes relate to matters referred to in said Extract.

 3. Said Minutes correctly state the time and place when said Meeting was convened and the place where such meeting was held and the members of said Board who attended said Meeting.

 4. Public Notice of the time and place of said Meeting was duly posted and duly given to the public and the news media in accordance with the Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, and that all members of said Town Board had due notice of said Meetings and that the Meeting was in all respects duly held and a quorum was present and acted throughout.

 5. IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of the Town of Sodus this 12 day of December, 2017.

**PUBLIC COMMENTS**

*(Evan Jackson Boy Scout Troop # 111)*

Evan Jackson presented to the Town Board his project for his Eagle Scout. Jackson will be building benches at Camp Beechwood at the upper and lower entrances in the Spring of 2018. Councilperson David LeRoy suggested speaking with the Sodus Rotary.

**PUBLIC COMMENTS**

*(Jim Gashlin)*

Jim Gashlin and the Board had discussion on Centenary Shores and the progress of it becoming a Town Road. It was stated that it currently is being worked on and is at the attorney’s office.

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

Councilperson Don Ross is working on the T/Sodus Employee Handbook. The Wallington Winter Fireworks were a great display and everyone enjoyed them.

**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 November 2017 Code Enforcement Report 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.

***CAMP BEECHWOOD REPORT:***

*(Trevor Davey, Camp Beechwood Caretaker)*

Councilperson David LeRoy motioned to accept and file the November 2017 Camp Beechwood 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. Motion carried.

***DOG CONTROL OFFICER REPORT:***

*(Thomas Luckenbach, DCO)*

No Report. Thomas Luckenbach, DCO submitted his written resignation effective immediately. Hugh Compton is the Interim Dog Control Officer until a new DCO is selected.

**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 November 2017 Highway Report was Jim Quinn. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye. Motion carried.

There was discussion on replacing T/Sodus boat docks.

**RECREATION COMMITTEE: *Councilperson (Vacant-David LeRoy Interim Chair)***

***(Recreation, Assessor)***

***Recreation Report***

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

Councilperson Jim Quinn motioned to accept and file the November 2017 Recreation Report 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.

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

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

***Assessor’s Report***

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

Councilperson Jim Quinn motioned to accept and file the November 2017 Assessor’s Report 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.

**CORRESPONDENCE & INFORMATION:**

Councilperson Jim Quinn motioned to reschedule the Month End/Year End Town Board Meeting for December 27, 2017 at 5:00 pm in the Sodus Town Court Room and to allow Lori Diver Town Clerk to advertise 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.

***RESOLUTION***

 ***ADVANCED OCCUPATIONAL SERVICES CONTRACT***

***(04 12-2017)***

**RESOLVED**, Councilperson Jim Quinn motioned to authorize Supervisor LeRoy to sign 2018-2020 Advanced Occupational Services Contract as presented 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.

Councilperson Jim Quinn motioned to authorize Supervisor LeRoy to distribute letter to all municipal office staff informing them of 4 specific Handbook changes beginning in 2018 *(letter provided)* 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.

***(See page 11)***

***RESOLUTION***

 ***HUMANE SOCIETY FO WAYNE COUNTY SERVICES CONTRACT***

***(05 12-2017)***

**RESOLVED**, Councilperson David LeRoy motioned to authorize Supervisor LeRoy to sign 2018-2020 Humane Society of Wayne County Services Contract and as presented 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.

Discussion was held on letter from Villani Law Office and invoice for Putnam Complaint *(provided)*

Discussion was held on Federal Surplus Property Program approval letter (*Supervisor LeRoy and Highway Superintendent Dale Pickering)*

Discussion was held on Dick Tack property. It was discussed that the property borders with a town property behind the town highway barn. The shed is partly on property owned by the Town of Sodus. It is not a moveable shed. The Town Attorney stated they need to find out the value of the shed on the property. More info is needed before a decision can be made.

**DISCUSSION ITEMS:**

Oath of Offices will take place at the Year End Town Board Meeting.

Councilperson David LeRoy discussed Union Negotiations between the Teamsters and T/Sodus Highway Dept.

**FYI:**

1. Minutes of Zoning and/ or Planning Board Meetings (provided)
2. Monthly report from Wayne County Sheriff’s Office (provided)
3. Letter from Reliant Credit Union regarding, “Moore than a Race” (provided)
4. Municipal Shelter Inspection Report (provided)
5. Letter from Mayor Englert (provided)
6. Barton & Loguidice “New Landfill Regulations.” (provided)
7. Info from “Town & Topics” regarding private roads (provided)

A motion by Councilperson Jim Quinn 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; Ross, aye. Motion carried.

Meeting Adjourned 8:07 pm

Recording Secretary,

Stacie Avery,

Deputy Clerk

Minutes Written By:

Lori Diver

Sodus Town Clerk, RMC