**MINUTES**

Minutes of the Regular Town Board Meeting held April 9, 2019 in the Sodus Town Court Room 14-16 Mill St. Sodus, NY 14551, commencing at 7:00 PM.

All meetings are open to the public.

 Present: Steven LeRoy, Supervisor

David LeRoy, Councilperson/Deputy Supervisor

Jim Quinn, Councilperson

Don Ross, Councilperson

Scott Johnson, Councilperson

Recording Secretary: Lori Diver, Town Clerk

Absent: N/A

 Others Present: Al Hendrikse, Code Enforcement Officer

 Sal Vittozzi, Sodus Town Groundskeeper

 Dale Pickering, Highway Superintendent

 Anthony Villani, Town Attorney

 Josh Faulks, Sun & Record

Dave Fitch, Town of Sodus Resident

Chris Tertinek, Former Sodus Point Mayor

Supervisor, Steve LeRoy called the Regular Town Board Meeting to order commencing at 7:00 PM with the Pledge of Allegiance and Lori Diver opened with roll call.

***MINUTES***

Councilperson Dave LeRoy motioned to approve the Minutes of the ***March 12, 2019***

***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; Johnson, aye. Motion carried.

Councilperson Scott Johnson motioned to approve the Minutes of the ***March 26, 2019 Month End 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, abstain; Johnson, aye. Motion carried.

***SUPERVISOR’S REPORT***

The Supervisor’s Report for March 2019 was presented. Councilperson Jim Quinn 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; Johnson, aye. Motion carried.

***TAX COLLECTION REPORT***

The Tax Collection Report, Tax Collection bank statement for audit, and bank register for March 2019 was presented. Councilperson David LeRoy motioned to accept and file this report was seconded by Councilperson Scott Johnson. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; Johnson, aye. Motion carried.

***TOWN CLERK’S REPORT***

The Town Clerk’s Reports, Town Clerk’s bank statements for audit, and bank register for March 2019 were presented. Councilperson David LeRoy motioned to accept and file these reports, which was seconded by Councilperson Scott Johnson. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; Johnson, aye. Motion carried.

***ABSTRACT***

 ***RESOLUTION TO PAY ABSTRACT NO. 07***

***(01 04-2019)***

**WHEREAS,** the following bills were presented for payment on Abstract 07:

 General 135-149 $ 8,034.96

Highway 101-105 $ 18,522.62

WD No. 11 012-013 $ 490.00

Sewer District 010-010 $ 488.00

Special Dist. 026-026 $ 971.92

 **GRAND TOTAL: $ 28,507.50**

**NOW BE IT RESOLVED**, Councilperson David LeRoy motioned to approve payment of these bills as reviewed for Abstract No. 07, 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; Johnson, aye. Resolution adopted.

**7:05 PM BID Opening**

Lori Diver Sodus Town Clerk read the legal for the BID notice as follows:

**LEGAL NOTICE**

**NOTICE TO BIDDERS**

**FOR**

**2019 TOWN OF SODUS SPRING & FALL CLEANUP**

NOTICE IS HEREBY GIVEN in accordance with Section 103 of the General Municipal Law, sealed bids will be mailed or dropped off at the Sodus Town Clerk’s Office, 14-16 Mill Street, Sodus NY 14551. Bids will be accepted up to 5:00 PM, April 9, 2019. Bids will be publicly opened and read at 7:05 PM during the Tuesday April 9, 2019 Regular Sodus Town Board Meeting held in the Sodus Town Court Room at 14-16 Mill St., Sodus NY. Bids must be sealed and marked on the outside of the envelope “2019 Town of Sodus Spring & Fall Cleanup Bid” and must contain a non-collusive bidding certificate. Specifications are available at the Town Clerk’s Office. The Sodus Town Board reserves the right to reject any or all bids. All meetings are open to the public.

By Order of the Sodus Town Board

Lorraine K. Diver

Sodus Town Clerk

March 21, 2019

Supervisor LeRoy stated that one BID was submitted for the 2019 Spring and Fall Cleanup as follows:

846 Macedon Center Road – Macedon NY 14502

Phone: 315-986-8900 Fax: 315-986-9321

April 8, 2019

Town of Sodus

14-16 Mill St.

Sodus, NY 14551

Dear Lori,

ALPCO Recycling, Inc. is pleased to provide this quote for the Town of Sodus Annual Spring and Fall 2019 clean up events as follows:

Charges:

* Trash $ 60.00/ton
* Tires $300.00/ton
* Haul Charge $225.00/per box

Rebates:

* Tin/scrap metal Market Pricing
* Freon Units No Pay/No charge (keep separate from other scrap metal)

Not accepted this year:

* Electronics

Thank you for inviting ALPCO Recycling, Inc. to participate in your Spring and Fall clean up events again this year.

Darlene Baker,

Coordinator, Waste & Hauling Division

ALPCO Recycling, Inc.

Councilperson Jim Quinn motioned to hire ALPCO Recycling for the 2019 Spring and Fall Cleanup if ALPCO uses 40 yard bins to haul the junk with and not 20 yard bins was seconded by Councilperson Scott Johnson. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; and Johnson, aye. Motion carried.

This email was submitted from ALPCO April 10, 2019 to Lori Diver Sodus Town Clerk. Please read as follows:

*We use 40-yd dumpsters for the clean-ups.  We have never used a 20-yd.  Occasionally we may use a 30-yd but usually only for tires and possibly Freon units.*

*Darlene Baker*

*(O) 315-986-8900, ext. 224*

*(C) 585-645-2158*

*ALPCO Recycling, Inc.*

*846 Macedon Center Rd.,*

*PO Box 837*

*Macedon, NY 14502*

**PUBLIC COMMENTS**

N/A

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

Councilperson Don Ross stated the next SESA meeting will be held May 19th at the Alton Fire Dept. at 8:00 AM.

**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 monthly March 2019 Code Enforcement Report was seconded by Councilperson Scott Johnson. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; and Johnson, aye. Motion carried.

***CAMP BEECHWOOD-PARKS-CEMETERIES REPORTS:***

*(Sal Vittozzi-Sodus Town Groundkeeper)*

Councilperson David LeRoy motioned to accept the monthly March 2019 Camp Beechwood-Parks & Cemeteries written report from Sal Vittozzi, Sodus Town Groundskeeper was seconded by Councilperson Don Ross. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; and Johnson, aye. Motion carried.

There was some discussion regarding trees that need to be removed at Wickham Cemetery.

Supervisor LeRoy said the NY State completed their annual inspection at Beechwood. Some issues noted are being addressed and will be fixed. Sal Vittozzi is aware of what needs to be addressed. Supervisor LeRoy will be pick up 2 smoke alarms and 2 GFI Breakers.

***DOG CONTROL OFFICER REPORT:***

*Craig Schwartz- Primary DCO*

*Shane Martin- Secondary DCO*

Councilperson David LeRoy motioned to accept and file the monthly March 2019 DCO Report from Craig Schwartz, DCO Officer was seconded by Councilperson Scott Johnson. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; and Johnson, aye. Motion carried.

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

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

***HIGHWAY REPORT:***

(Dale Pickering – Highway Superintendent)

Councilperson Scott Johnson motioned to accept and file the monthly March 2019 Highway Report from Dale Pickering, Highway Superintendent was seconded by Councilperson David LeRoy. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; and Johnson, aye. Motion carried.

Councilperson David LeRoy motioned to authorize the entire Town Board to sign the Highway Funds Agreement was seconded by Councilperson Don Ross. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; and Johnson, aye. Motion carried.

**RECREATION & ASSESSOR COMMITTEE: *Councilperson (Councilperson Scott Johnson Chair)***

***(Recreation, Assessor)***

Councilperson Scott Johnson stated that over Spring Break Sheila and Tom Miller will be getting together to discuss the Summer Recreation Program. Sheila is starting to finally get around some. In addition, Johnson discussed that Nathan Mack; Town of Sodus Sole Assessor has started mailing new assessment data to the property owners only who had reevaluations done.

***Recreation Report***

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

Councilperson David LeRoy motioned to accept and file the monthly March 2019 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; and Johnson, aye. Motion carried.

***Assessor’s Report***

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

Councilperson Jim Quinn motioned to accept and file the monthly March 2019 Assessor’s 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; and Johnson, aye. Motion carried.

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

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

***N/A***

**CORRESPONDENCE & INFORMATION**

***RESOLUTION***

***SUPERVISOR SIGN’S AGREEMENT WITH CLARK PATTERSON REGARDING JOY BRIDGE PROJECT***

***(02 04-2019)***

**NOW THEREFORE BE IT RESOLVED**, the Town Board authorizes Supervisor LeRoy to sign agreement with Clark Paterson for construction inspection services in the amount of $68,581.94 relative to the Joy Bridge Project, and

**NOW FURTHER BE IT RESOLVED**, Councilperson Jim Quinn motioned to approve resolution ***(02 04-2019)*** was seconded byCouncilperson Scott Johnson. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; Johnson, aye. Resolution adopted.

Councilperson Scott Johnson motioned to authorize travel request for Lori Diver to attend NYSTCA Conference in Syracuse was seconded by Councilperson Don Ross. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; Johnson, aye. Motion carried.

Councilperson Don Ross motioned to authorize travel request for Heidi Sutherland to attend NYSAMCC Conference in Syracuse was seconded by Councilperson Scott Johnson. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; Johnson, aye. Motion carried.

Councilperson Don Ross motioned to authorize travel request for Michelle Dolan to attend NYSAMCC Conference in Syracuse was seconded by Councilperson Don Ross. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; Johnson, aye. Motion carried.

Councilperson Scott Johnson motioned to authorize travel request for Al Hendrikse to attend NYS Electrical Code Change Classes (no charge) was seconded by Councilperson Don Ross. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; Johnson, aye. Motion carried.

Councilperson David LeRoy motioned to authorize travel request for Dale Pickering to attend Highway School in Ithaca was seconded by Councilperson Don Ross. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; Johnson, aye. Motion carried.

***RESOLUTION***

***CHRISTOPHER HANSON (LABOR CAMP)***

***(03 04-2019)***

**NOW THEREFORE BE IT RESOLVED**, the Town Board approves Christopher Hanson’s application for a labor camp (singlewide) construction on Maple Ave, and

**NOW FURTHER BE IT RESOLVED** Councilperson Don Ross motioned to adopt resolution ***(03 04-2019)*** was secondedCouncilperson Jim Quinn. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; Johnson, aye. Resolution adopted.

***RESOLUTION***

***E-WASTE DAY CONTRIBUTION***

***(04 04-2019)***

**NOW THEREFORE BE IT RESOLVED**, the Town Board motioned to authorize paying 1/3 of the e-waste bill with the Village of Sodus and Village of Sodus Point in the Spring E-waste Day and to revisit the 2019 Fall E-Waste day to see if it is necessary at that time,

**NOW FURTHER BE IT RESOLVED** Councilperson David LeRoy motioned to adopt resolution ***(04 04-2019)*** was secondedCouncilperson Don Ross. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; Johnson, aye. Resolution adopted.

***RESOLUTION***

***WD # 11 “FORM E BUDGET REPORT # 3”***

***(05 04-2019)***

**NOW THEREFORE BE IT RESOLVED**, the Town Board motioned to authorize Supervisor LeRoy to sign the “corrected” Form E Budget Report # 3 relative to Water District # 11, and

**NOW FURTHER BE IT RESOLVED** Councilperson Scott Johnson motioned to adopt resolution ***(05 04-2019)*** was secondedCouncilperson David LeRoy. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; Johnson, aye. Resolution adopted.

***RESOLUTION***

***AMMENDING FEE SCHEDULE FOR CHAPTER 38 (LICENSING OF DOGS)***

***(06 04-2019)***

Please Take Notice: The Town Board has set forth into policy a revised fee schedule pursuant to Local Law 1-2010 (Dog Licensing and Animal Control); Fees Revised (2019)

Effective May 1, 2019

**WHEREAS,** the Town of Sodus adopted a Local Law 1-2010 to govern the licensing of dogs and control of animals in the Town of Sodus, which law is codified at Chapter 38 of the Sodus Town Code and includes a schedule of applicable fees, and

**WHEREAS,** Section 38-9 of said law authorizes the Town to amend the fee schedule by resolution,

**NOW THEREFORE**, pursuant to Section 38-9 of the Sodus Town Code, Section 10 of the New York State Municipal Home Rule Law, and Section 110 of the New York Agriculture and Markets Law, the Town Board of the Town of Sodus hereby resolves that the fee schedule for Chapter 38 of the Town Code be amended and revised in accordance with the annexed fee schedule dated April 9, 2019, and to advertise the same for 2 weeks in the Town of Sodus’s Legal Paper.

**NOW FURTHER BE IT RESOLVED** Councilperson Jim Quinn motioned to adopt resolution ***(06 04-2019)*** was secondedCouncilperson David LeRoy. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; Johnson, aye. Resolution adopted.

**Town of Sodus**

The Town Board has set forth into policy a revised fee schedule pursuant to Local Law 1-2010 (Dog Licensing and Animal Control); Fees Revised (2019)

Effective May 1, 2019

***RESOLUTION***

***Dog Licensing and Animal Control Fees Revised (2019)***

 ***(05 04-2019)***

WHEREAS, the Town of Sodus adopted a Local Law 1-2010 to govern the licensing of dogs and control of animals in the Town of Sodus, which law is codified at Chapter 38 of the Sodus Town Code and includes a schedule of applicable fees, and

WHEREAS, Section 38-9 of said law authorizes the Town to amend the fee schedule by resolution,

NOW, THEREFORE, pursuant to Section 38-9 of the Sodus Town Code, Section 10 of the New York State Municipal Home Rule Law, and Section 110 of the New York Agriculture and Markets Law, the Town Board of the Town of Sodus hereby resolves that the fee schedule for Chapter 38 of the Town Code be amended and revised in accordance with the annexed fee schedule dated April 9, 2019.

Councilperson Jim Quinn motioned to adopt resolution ***(05 04-2019)*** 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; Johnson, aye. Resolution adopted.

**Town of Sodus Fees pursuant to Local Law 1-2010 (Dog Licensing and Animal Control); Fees Revised (2019) as follows:**

**A. License Fees Neutered/Spayed/Unneutered/Unspayed:**

**The annual fee for a dog license issued by the Town of Sodus shall be $13.00 for neutered and spayed dogs ($7.50 for Senior Residents) and $18.00 for unneutered and unspayed dogs ($12.50 for Senior Residents).**

**B. Purebred Licenses:**

**The annual fee for purebred licenses issued by the Town of Sodus shall be $25.00 for**

**1-10 purebred dogs and $100.00 for 11-100 purebred dogs.**

**C. Exempted Dogs:**

**Exempted from payment of the license fee are applications submitted for a dog license for any guide, hearing, service, war, working search, detection, police and therapy dogs. State certification will be required. No special tags will be issued. State surcharge will be $1 for spayed/neutered and $3 for unspayed/unneutered.**

**D. Refunds/Prorated Fees:**

**The Town will not refund dog license fees or prorate fees.**

**E. Annual License Fee:**

**Each license will be valid for one year. All license fees are due annually prior to their anniversary date.**

**F. New York State Surcharge:**

**In addition to the license fee established by the Town of Sodus and set forth herein, each applicant for a dog license shall pay a New York State surcharge of $1.00 if the dog to be licensed is altered, or a surcharge of $3.00 if the dog sought to be licensed is unaltered. Each purebred dog licensed shall be subject to the same New York State surcharge of $1.00 if the dog to be licensed is altered, or $3.00 if the dog sought to be licensed is unaltered.**

**G. Late Fee:**

**All fees owed are subject to a $10.00 late fee if 60 days or more overdue for each dog.**

**H. Enumeration Fee:**

**Each applicant found with an unlicensed dog or late renewal at the time enumeration is conducted shall be assessed a Town surcharge of $5.00 for each such dog, which shall be retained by the Town and used to defray the cost of an enumeration of dogs living within the Town.**

**I. Replacement Tags.**

**Replacement Tags will be $3.00 each.**

**J. Penalties for Offenses Pursuant to Sodus Town Code Section 38-8:**

**Any person convicted of a violation of Chapter 38, Article I (Dog Control) of the Sodus Town Code shall be liable for a fine of not less than Fifty Dollars ($50.00) for a first violation; not less than Seventy-Five Dollars ($75.00) for a second violation; and not less than One Hundred and Fifty Dollars ($150.00) for each subsequent violation.**

**K. Penalties for Offenses Pursuant to Sodus Town Code Section 38-12:**

**The violation of any provision of Section 38-12 (Running at Large) of the Sodus Town Code shall be subject to a fine of $10.00 for the first offense and $50.00 for each subsequent offense thereafter.**

**4/9/19**

**DISSCUSSION:**

1. Councilperson David LeRoy discussed updates on the Salt Barn
2. Supervisor LeRoy is waiting on 3 different bids for the upcoming construction of the new docks at the Public Boat Launch at Harriman Park.

4. Supervisor LeRoy discussed the Ridge Road cleanup. LeRoy stated the water is off, the power is off, and the electric is off. The date to begin work will be April 17, 2019. Code Enforcement Officer, Al Hendrikse wrote a letter, the Town Board and Supervisor LeRoy signed the letter, and the letter will be mailed to the owner at the Ridge Rd. property address explaining the dates of the cleanup.

**FYI:**

1. Minutes of Zoning/and or Planning Board Meetings *(provided).*
2. Monthly Report from Wayne County Sheriff’s Office *(provided).*
3. Army Corp. Lake Ontario water level projection graph *(provided).*

**EXECUTIVE SESSION:**

Councilperson Scott Johnson motioned to enter into Executive Session to discuss a personnel issue relative to a particular person and potential litigation at 8:17 PM was seconded by Councilperson Don Ross. Upon roll call the following votes were heard, Supervisor Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; Johnson, aye. Motion carried.

Councilperson Scott Johnson motioned to exit out of Executive Session and enter into Regular Session at 9:30 PM was seconded by Councilperson Jim Quinn. Upon roll call the following votes were heard, Supervisor Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; Johnson, aye. Motion carried.

A motion by Councilperson Jim Quinn to adjourn the 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; Johnson, aye. Motion carried.

Meeting adjourned at 9:31 PM

Recording Secretary,

Lori K. Diver

Sodus Town Clerk