**MINUTES**

Minutes of the Regular Sodus Town Board Meeting commencing at 6:30 PM in the Upstairs Meeting Room & Zoom November 10, 2020, located at 14-16 Mill St. Sodus, NY 14551. Due to Covid-19 Zoom was provided, along with detailed login information in the legal notice of this meeting.

Masks were required and social distancing was enforced.

All meetings are open to the public.

Present: Scott Johnson, Supervisor

David LeRoy, Councilperson/Deputy Supervisor

Don Ross, Councilperson-Zoomed

Chris Tertinek, Councilperson-Zoomed

(Left meeting @ 8:30 PM)

John Faulks, Councilperson-Zoomed

Recording Secretary: Lori Diver, Sodus Town Clerk-RMC

Absent: N/A

Others Present: Dale Pickering, Highway Superintendent-Zoomed

Bree Crandell, Confidential Supervisor Clerk

Sal Vittozzi, Groundskeeper/Caretaker-Zoomed

Amy Kendall, Town Attorney-Zoomed

John Hayslip, Sodus Zoning Board-Zoomed

Michael Greene, Billboard applicant-Zoomed

Tim Reynolds, Billboard-Zoomed

Supervisor, Scott Johnson called the Regular Town Board Meeting to order commencing at 6:30 PM with the Pledge of Allegiance and Lori Diver opened with roll call.

***SUPERVISOR’S REPORT***

The Supervisor’s report was presented for October 2020. Councilperson David LeRoy motioned to accept and file this report, which was seconded by Councilperson John Faulks. Upon roll call the following votes were heard, Scott Johnson, aye; David LeRoy, aye; Don Ross, aye; Chris Tertinek, aye; and John Faulks, aye. Motion carried.

***TOWN CLERK’S REPORT***

The Town Clerk’s Reports, Town Clerk’s bank statements for audit, and bank register for October 2020 were presented. Councilperson David LeRoy motioned to accept and file these reports, which was seconded by Councilperson Chris Tertinek. Upon roll call the following votes were heard, Scott Johnson, aye; David LeRoy, aye; Don Ross, aye; Chris Tertinek, aye; and John Faulks, aye. Motion carried.

***ABSTRACT***

***RESOLUTION TO PAY ABSTRACT NO #20***

***(01 11-2020)***

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

General 465-484 $ 103,138.54

Highway 304-320 $ 49,108.54

Special Districts 016-016 $ 955.73

**GRAND TOTAL: $ 153,202.81**

**NOW BE IT RESOLVED**, Councilperson Chris Tertinek motioned to approve payment of these bills as reviewed for Abstract No. 20, which was seconded by Councilperson Don Ross. Upon roll call the following votes were heard, Scott Johnson, aye; David LeRoy, aye; Don Ross, aye; Chris Tertinek, aye; and John Faulks, aye. Resolution adopted.

**PUBLIC COMMENTS**: John Hayslip (Town of Sodus ZBA & Michael Greene–Applicant)

Zoning Board Member John Hayslip shared with the Town Board, applicant Michael Green came before the Zoning Board with and application to place a billboard along 104 in the Town of Sodus. His application was put on hold because the ZBA wanted the Sodus Town Board input since there was no specific code written for billboards. Town Attorney Amy Kendall stated that the Town Board cannot vote on this because it has to be voted on by the Zoning Board of Appeals. They are the ones to make the decision, not the Town Board. Michael Greene (applicant) did not see what the big concern was with the billboard being put up along 104 but, Amy Kendall expressed since there was not specific code for billboards; the Zoning Board would be the ones to make that decision.

Michael Greene discussed the billboard currently on 104 and another good size sign that is lighted. Amy Kendall stated she does not know what or how those went up since it was before she became the Town’s attorney but, John Hayslip stated they will check into it. Kendall also advised the applicant he can choose to withdraw the application until further details are given or he can leave that decision to be made by the ZBA. It was also stated since the Town of Sodus does not have specific codes regarding billboards; the Town may want to look into revising its codes accordingly. More will be discussed about Billboards and the updating codes in the future.

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

Councilperson Don Ross gave his committee report. The next SESA meeting will be located at the Village of Sodus Fire Department November 15, 2020 starting at 8:30 AM.

Don Ross discussed water currently on Newell Rd and a resident that would like to hook into that water. Through much discussion Amy Kendall, Town Attorney will check with Dave Doyle with MRB and see if this resident would have to sign into an out of district user agreement or what needs to be done for them to get water.

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

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

***HIGHWAY REPORT:***

(Dale Pickering – Highway Superintendent)

Councilperson John Faulks motioned to accept and file the monthly October 2020 Highway Report from Dale Pickering Highway Superintendent was seconded by Councilperson Chris Tertinek. Upon roll call the following votes were heard, Scott Johnson, aye; David LeRoy, aye; Don Ross, aye; Chris Tertinek, aye; and John Faulks, aye. Motion carried.

Councilperson David LeRoy and Highway Superintendent Dale Pickering discussed some issues with the beginning of construction for the new Highway Barn that were not expected. In addition LeRoy discussed the permissive referendum for financing will be completed December 5th, 2020. Once this is complete, the Town Clerk Lori Diver can publish the Estoppel Notice required by law for the bond.

**BUILDINGS AND GROUNDS COMMITTEE: *Councilperson Chris Tertinek, Chair***

***(Town Property, Animal Control, Flood Damage Prevention)***

***CODE ENFORCEMENT REPORT:***

*Craig Schwartz- CEO*

Councilperson John Faulks motioned to accept the monthly October 2020 Code Enforcement Report as written was seconded by Councilperson Chris Tertinek. Upon roll call the following votes were heard, Scott Johnson, aye; David LeRoy, aye; Don Ross, aye; Chris Tertinek, aye; and John Faulks, aye. Motion carried.

***ANIMAL CONTROL REPORT:***

*Tracy Critchfield, Primary DCO*

Councilperson Chris Tertinek motioned to accept the monthly October 2020 Dog Control Report as written was seconded by Councilperson David LeRoy. Upon roll call the following votes were heard, Scott Johnson, aye; David LeRoy, aye; Don Ross, aye; Chris Tertinek, aye; and John Faulks, aye. Motion carried.

***FLOOD DAMAGE PREVENTION REPORT:***

*Chris Tertinek, Councilman*

Councilman Tertinek gave his Flood Damage Prevention Report –Code 69. Lake Ontario level has dropped about 4 inches over the last month. Tertinek does not expect the levels to drop much more. The level is 4 inches below the 2020 predicted level. Tertinek said he is cautiously optimistic for the lake levels in 2021 but, he said there are many factors of what can raise water levels.

**RECREATION/ENVIRONMENTAL COMMITTE: *Councilman John Faulks***

***(Recreation, Assessor, Parks, Cemeteries)***

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

***Recreation Report***

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

Councilperson David LeRoy motioned to accept the monthly October 2020 Recreation written report from Sheila Fisher, Recreation Director was seconded by Councilperson John Faulks. Upon roll call the following votes were heard, Scott Johnson, aye; David LeRoy, aye; Don Ross, aye; Chris Tertinek, aye; and John Faulks, aye. Motion carried.

***Assessor’s Report***

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

Councilperson David LeRoy motioned to accept and file the monthly October 2020 Assessor’s Report from Sole Assessor, Nathan Mack was seconded by Councilperson John Faulks. Upon roll call the following votes were heard, Scott Johnson, aye; David LeRoy, aye; Don Ross, aye; Chris Tertinek, aye; and John Faulks, aye. Motion carried.

***Camp Beechwood/Sodus Groundskeeper Report***

*(Sal Vittozzi-Caretaker-Sodus Town Groundkeeper)*

Councilperson John Faulks motioned to accept the monthly October 2020 Camp Beechwood-Parks & Cemeteries written report from Sal Vittozzi, Sodus Town Groundskeeper-Caretaker was seconded by Councilperson David LeRoy. Upon roll call the following votes were heard, Scott Johnson, aye; David LeRoy, aye; Don Ross, aye; Chris Tertinek, aye; and John Faulks, aye. Motion carried.

Councilperson Faulks stated Village of Sodus resident Kelly Grey, donated to the Town of Sodus Recreation Program $1,920.00 from her Mom’s profits in an estate sale. Thank you Kelly Grey for your donation!!!!

**TOWN HALL COMMITTEE: *Scott Johnson, Supervisor***

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

***N/A***

**CORRESPONDENCE & INFORMATION**

***SALE OF REYNOLDS PROPERTY***

***RESOLUTION***

***(02 11-2020)***

**WHEREAS,** the Town of Sodus (“Town”) is the owner of a parcel of property located on Rotterdam Road identified as tax parcel no. 69118-17-086059, and

**WHEREAS**, Ronnie Reynolds and Diane Reynolds (together “Reynolds”), who own the property 6 Rotterdam Road in the Town and Village of Sodus (tax parcel no. 69117-05-052989) have offered to purchase a strip of the Town’s property approximately 68 feet by 32 feet (“Property”) which is immediately adjacent to the north of the Reynolds’ property; and

**WHEREAS**, the Reynolds have agreed to pay the costs associated with the transfer of the Property, including but not limited to costs for publication, surveying, attorneys’ fees and recording, and

**WHEREAS,** in accordance with the New York State Environmental Quality Review Act (“SEQRA”), and regulations adopted to implement SEQRA, the Town Board must undertake an environmental review of the sale of the Property (the “Action”); and

**WHEREAS,** the Town Board has arranged for the preparation of a short-form EAF for the Action for the purpose of evaluation of the significance of any potential environmental impacts of the Action; and

**WHEREAS,** the sale of the Property is an unlisted action pursuant to 6 N.Y.C.R.R. §§617.2(al) and 617.4(b) (4), because it involves sale of less than 100 acres; and

**NOW THEREFORE,** **IT IS RESOLVED,** the Town Board hereby accepts the EAF; and it is further

**RESOLVED** that the Town Board has considered the proposed Action and its potential for environmental impacts; reviewed and considered the EAF, the criteria contained in 6 N.Y.C.R.R. §617.7(c), and other supporting information to identify the relevant areas of environmental concern; and thoroughly analyzed the identified relevant areas of environmental concern to determine if the Action may have a significant adverse impact on the environment, and makes the following findings:

1. The Action involves no alteration of the Property.
2. The Town Board has advised the Reynolds that the Property may include New York State Freshwater Wetlands and that the New York State Department of Environmental Conservation should be consulted prior to any alteration of the Property.
3. No potentially significant adverse environmental impacts have been identified associated with the sale of the Property.

**NOW THEREFORE IT IS FURTHER RESOLVED** that pursuant to SEQRA, the Town Board finds that the proposed Action will not have a significant impact on the environment, so that a Negative Declaration is made and shall be duly filed, and an environmental impact statement will not be required.

**FURTHER RESOLVED** the Town Board authorizes the sale of the Property pursuant to Town Law §64(2) for $500.00 on the terms described above; and it is

**FURTHER RESOLVED,** that this Resolution is subject to a permissive referendum, pursuant to Town Law §64(2), and shall not be effective unless either no petition requesting a referendum meeting the requirements of Town Law §91 is filed on or before December 10, 2020, or this Resolution is approved by the affirmative vote of majority of the qualified electors of the Town of Sodus voting on approval of the Resolution; and it is

**FURTHER RESOLVED,** that the Town Clerk shall publish a notice in the *Times of Wayne County* on or before November 15, 2020, which shall: (1) set forth the date of the adoption of this Resolution; (2) contain an abstract of this Resolution concisely stating its purpose and effect; (3) specify this Resolution was adopted subject to a permissive referendum; (4) state that on or before December 10, 2020, a petition signed, and acknowledged or proved, or authenticated by electors of the town qualified to vote upon a proposition to raise and expend money, in number equal to at least five per centum of the total vote cast for governor in the Town in 2018, but which shall not be less than 25, protesting against the Resolution and requesting that it be submitted to the qualified electors of the Town for their approval or disapproval; and it is

**FURTHER RESOLVED,** the Town Clerk shall also cause a copy of the Notice to be posted on the sign board of the Town maintained pursuant to Town Law §30(6), and on the Town web site, on or before November 12, 2020.

**FURTHER RESOLVED**, Councilperson Don Ross motioned to adopt this resolution which was seconded by Councilperson David LeRoy. Upon roll call the following votes were heard, Scott Johnson, aye; David LeRoy, aye; Don Ross, aye; Chris Tertinek, absent; and John Faulks, aye. Motion carried.

Councilperson David LeRoy motion to allow Lori Diver Sodus Town Clerk to advertise the Permissive Referendum for sale of Town of Sodus Property was seconded by Councilperson John Faulks. Upon roll call the following votes were heard, Scott Johnson, aye; David LeRoy, aye; Don Ross, aye; Chris Tertinek, absent; and John Faulks, aye. Motion carried.

Councilperson David LeRoy motion to authorize the Town of Sodus to enter into the, “Amended and Restated Agreement regarding the Regional Water Storage System Improvements and Services” and allow the Supervisor Scott Johnson and the Sodus Town Board to sign the agreement was seconded by Councilperson Don Ross. Upon roll call the following votes were heard, Scott Johnson, aye; David LeRoy, aye; Don Ross, aye; Chris Tertinek, absent; and John Faulks, aye. Motion carried.

Councilperson David LeRoy motion to authorize Bill Gates located at 5420 Podger Rd.; Mike Hillis at 7147 Maxwell Rd., and Kent Dawson Tax Id # 70118-00-102636 Maxwell Rd. to enter into an “Out of District Water User Contract” with the Town of Sodus which is, required by the Wayne County Water & Sewer Authority was seconded by Councilperson Don Ross. Upon roll call the following votes were heard, Scott Johnson, aye; David LeRoy, aye; Don Ross, aye; Chris Tertinek, absent; and John Faulks, aye. Motion carried.

Jackie Jones, resident on Buerman Rd. dropped off a petition with property owners’ signatures requesting town water.

Councilperson John Faulks motioned to move forward with researching the possibility of town water on Buerman Rd.; as long as Nathan Mack Assessor officially certifies that there is more than 50 % of property owner signatures and that there is more than 50 % of the total assessed value of signatures on Buerman Rd. was seconded by Councilperson David LeRoy. Upon roll call the following votes were heard, Scott Johnson, aye; David LeRoy, aye; Don Ross, aye; Chris Tertinek, absent; and John Faulks, aye. Motion carried.

Councilperson David LeRoy motioned to support the partnership between Trail Works and Wayne County Soil and Water Conservation District to work toward a management plan for invasive species within Camp Beechwood and seek funding through State and Federal resources to do so with the request of presentations and future funding to be provided to the Town of Sodus for awareness was seconded by Councilperson John Faulks. Upon roll call the following votes were heard, Scott Johnson, aye; David LeRoy, aye; Don Ross, aye; Chris Tertinek, absent; and John Faulks, aye. Motion carried.

***NYS OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION FUNDS***

***CAMP BEECHWOOD RESOLUTION***

**(03 11-2020)**

Supervisor Scott Johnson offered the following resolution for its adoption:

Whereas, Resolution (***03 11-2020)*** authorized submission of an application for funding to the New York State Office of Parks, Recreation and Historic Preservation EPF Municipal Grant Program, and

Whereas, the Town received an award from OPRHP for this project to improve the Camp Beechwood State Park, now, therefore be it

RESOLVED, that Scott Johnson, as Supervisor of the Town of Sodus, is hereby authorized and directed to accept funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed $76,387, and enter into and execute a project agreement with the State for such financial assistance to the Town of Sodus for the Beechwood State Park Basic Amenities grant EPF#151829.

Councilperson David LeRoy motioned to adopt Resolution ***(03 11-2020)*** was seconded by Councilperson Don Ross. Upon roll call the following votes were heard, Scott Johnson, aye; David LeRoy, aye; Don Ross, aye; Chris Tertinek, absent; and John Faulks, aye. Resolution adopted.

Councilperson John Faulks motioned to authorize Lori Diver Sodus Town Clerk to advertise a legal notice of estoppel for bond resolution regarding the Town of Sodus Highway Barn was seconded by Councilperson David LeRoy. Upon roll call the following votes were heard, Scott Johnson, aye; David LeRoy, aye; Don Ross, aye; Chris Tertinek, absent; and John Faulks, aye. Motion carried.

**DISCUSSION/FYI:**

1. Lori Diver Sodus Town Clerk discussed the 2020 Sodus Community Sharing Program. If any of the Town of Sodus employees would like to donate personally, please see the Town Clerk’s Office for further information.

A motion by Councilperson David LeRoy to adjourn the Regular Town Board Meeting was seconded by Councilperson John Faulks. Upon roll call the following votes were heard, Scott Johnson, aye; David LeRoy, aye; Don Ross, aye; Chris Tertinek, absent; and John Faulks, aye. Motion carried.

Meeting adjourned at 8:00 PM

Recording Secretary,

Lori K. Diver

Sodus Town Clerk, RMC