**MINUTES**

Minutes of the Regular Sodus Town Board Meeting commencing at 7:00 PM in the Sodus Town Court Room November 12, 2019, located at 14-16 Mill St. Sodus, NY 14551.

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, Sodus Town Clerk-RMC

Absent: Craig Schwartz, DCO

Dale Pickering, Highway Superintendent

Others Present: Chris Tertinek- Sodus Town Board (2020)

David Gitsis –Harriman Park Ramp

Erin Cook- Harriman Park Ramp

Dan Gitsis-Harriman Park Ramp

David Fitch-Public

Kim Buell, T/Sodus Zoning Board Member

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 David LeRoy motioned to approve the Minutes of the ***October 22, 2019***

***Regular Town Board Meeting*** 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.

***MINUTES***

Councilperson Jim Quinn motioned to approve the Minutes of the ***October 29, 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, aye; Johnson, aye. Motion carried.

***SUPERVISOR’S REPORT***

The Supervisor’s Report for October 2019 was not available and will be tabled until the December 10, 2019 Regular Town Board Meeting.

***TOWN CLERK’S REPORT***

The Town Clerk’s Reports, Town Clerk’s bank statements for audit, and bank register for October 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 #19***

***(01 11-2019)***

**WHEREAS,** the following bills were presented for payment on Abstract 19:

General 436-457 $ 23,958.31

Highway 279-295 $ 65,412.68

Special Districts 033-033 $ 910.26

**GRAND TOTAL: $ 90,281.25**

**NOW BE IT RESOLVED**, Councilperson Scott Johnson motioned to approve payment of these bills as reviewed for Abstract No. 19, 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.

**PUBLIC COMMENTS**

*David Gitsis (Harriman Park Ramp)*

David Gitsis discussed with the Town Board that he owned the property next to the boat launch and he is requesting an easement from the Town to repair the break wall in front of his property. He has applied for the DEC permit and is waiting to hear back from them. Town Attorney, Amy Kendall discussed with Gitsis that will be his biggest hurdle in this process.

Steve asked David Gitsis to stop up at his office between 10:00 AM – 11:00 PM November 13, 2019 to discuss this matter further. LeRoy discussed with Gitsis; calling the DEC to see if he can help assist in the process of getting the permit for Gitsis. Amy will work on the Town legalities of the easement in the meantime.

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

Councilperson Don Ross gave his committee reports. The SESA Meeting was last Sunday.

Local fire departments are holding their, “Turkey Raffle” parties in November.

“The Wallington Fire Dept. fireworks display will be on Sunday, December 15th, 2019. The Display will start at 6 pm sharp with free hot dogs, coffee and cocoa to the public starting at 5:00 (donations welcome). This is an annual event. It is a way for the volunteer services in the Town of Sodus and Chamber of Commerce to say thank you to the public for everyone’s support throughout the year.”

The Sodus Point Neighborhood Association will be hosting a, “Family Holiday Festival – Saturday December 7, 2019 from 11:00 AM – 1:30 PM at the Sodus Point Community Center.

Councilperson Don Ross stated that the Monroe County Water & Sewer Authority will be hosting a tour for the Wayne County Water Sewer Authority Board of Directors.

LifeNet did a great job with the kids for, “Fire Prevention Week.”

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

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

***CODE ENFORCEMENT REPORT:***

*Craig Schwartz- CEO*

Councilperson Scott Johnson motioned to accept the monthly October 2019 Code Enforcement Report as written 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.

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

*(Sal Vittozzi-Sodus Town Groundkeeper)*

Councilperson David LeRoy motioned to accept the monthly October 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.

***DOG CONTROL OFFICER REPORT:***

*Craig Schwartz- Primary DCO*

*Shane Martin- Secondary DCO*

Councilperson Scott Johnson motioned to accept and file the monthly October 2019 DCO Report from Craig Schwartz, DCO Officer 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.

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

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

***HIGHWAY REPORT:***

(Dale Pickering – Highway Superintendent)

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

Discussion was held on letter from RG&E. Amy Kendall, Town Attorney will look into this matter further.

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

***(Recreation, Assessor)***

Councilperson Scott Johnson stated that Recreation is holding their basketball program currently and will be hosting another fundraising event for the Town of Sodus Recreation. There are many other classes to attend as well such as; Body Beat and Yoga classes.

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

Councilperson Dave LeRoy motioned to accept and file the monthly October 2019 Recreation Report submitted by Sheila Fisher, Recreation Director was seconded by Councilperson Jim Quinn. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; and Johnson, aye. Motion carried.

Councilperson Scott Johnson discussed that Nate continues to attend educational classes to stay on top of changes that the State has implemented. Nate also mailed out exemption postcards to residents with the upcoming changes and explaining the process of how to file.

***Assessor’s Report***

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

Councilperson David LeRoy motioned to accept and file the monthly October 2019 Assessor’s Report from Sole Assessor, Nathan Mack 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**

Councilperson Scott Johnson authorized Supervisor Steve LeRoy to sign 2020 Snow & Ice Contract with Wayne County Public Works was seconded by Councilperson Dave LeRoy. Upon roll call the following votes were heard, Steven LeRoy, aye; David LeRoy, aye; Quinn, aye; Ross, aye; Johnson, aye. Motion carried.

Councilperson Jim Quinn motioned to approve travel request from Supervisor’s Office (Breynn Crandell) to attend training on 11/19/19 in Corning, NY 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 Jim Quinn motioned to approve travel request from Town Clerk’s Office (Lori Diver) to attend training on 11/19/19 in Corning, NY 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 Jim Quinn motioned to approve travel request from Supervisor’s Office (Steve LeRoy) to attend training on 11/19/19 in Corning, NY 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.

Letter from the Sodus Town Court informing of Section 2019-a of the Uninform Justice Court Act *(provided).*

***RESOLUTION***

***PROCUREMENT POLICY***

***(02 11-2019)***

WHEREAS, Section 104-b of the General Municipal Law, (GML) requires every town

to adopt internal policies and procedures governing all procurement of goods and services not subject to bidding requirement of GML, §103 or any other law, in order to assure the prudent and economical use of public moneys in the best interest of the taxpayers of the town; and

WHEREAS, comments have been solicited from those officers of the town involved in procurement;

NOW THEREFORE, be it

RESOLVED: That the Town of Sodus does hereby adopt the following procurement policies and procedures:

Guideline 1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML, §103. Every town officer, board, department head or other personnel with the requisite purchasing authority (hereinafter Purchaser) shall estimate the cumulative amount of items of supply or equipment needed in a given fiscal year. That estimate shall include the canvass of other town departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting purchase activity.

Guideline 2. All purchases of a) supplies or equipment which will exceed $10,000. in the fiscal year or b) public works contracts over $20,000 shall be formally bid pursuant to GML, §103.

Guideline 3. All estimated purchases of less than $10,000 but greater than $3,000 require a written request for proposal (RFP) and written/fax quotes from three vendors.

Less than $3,000 but greater than $1.000 requires an oral request for the goods and oral/fax quotes from two vendors.

Less than $1,000 but greater than $50 is left to the discretion of the Purchaser.

Any written RFP shall describe the desired goods, quantity and particulars of delivery.

The Purchaser shall compile a list of vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered.

All information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the subsequent purchase of public works contract, including the individual or individuals responsible for purchasing and their respective titles. Such information shall be updated biennially.

Guideline 4: All bids, quotes or proposals shall include the name and address of the bidder, its qualifications, a description of the work to be completed and an itemization of costs if appropriate, together with any other information necessary. Bids, quotes and proposals without sufficient information to allow the Purchaser to properly evaluate them will be rejected.

Guideline 5: The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepares a written justification providing reasons why it is in the best interest of the town and its taxpayers to make an award to other than the low bidder. If the bidder is not deemed responsible, facts supporting that judgment shall be documented and filed with the record supporting the procurement.

Guideline 6: A good faith effort shall be made to obtain the required number of proposals or quotations. If the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain proposals or quotes be a bar to procurement.

Guideline 7: Except when directed by the town board, no solicitation of written proposals or quotations shall be required under the following circumstances;

a) Acquisition of professional services

b) Emergencies

c) Sole source situations

d) Goods purchased from agencies for the blind or severely handicapped

e) Goods purchased from another governmental agency

f) Goods purchased at auction

g) Goods purchased for less the $50.

h) Public works contract for less than $500.

i) Purchases under State or County contracts.

Guideline 8: This policy shall be reviewed annually by the town board at its organizational meeting or as soon thereafter as is reasonably practicable.

Guideline 9: The unintentional failure to fully comply with the provisions of this section shall

not be grounds to void action taken or give rise to a cause of action against the Town, District, or any officer or employee thereof.

**NOW BE IT RESOLVED**, Councilperson Don Ross motioned to adopt resolution ***(02 11-2019)*** 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.

***RESOLUTION***

***BRICKCHURCH SOLAR***

*(11 3-2019)*

**WHEREAS**, Brickchurch Solar, LLC (“Brickchurch”) has proposed the construction of a solar energy system in the Town of Sodus (“Town”) located at 8593 York Settlement Road in the Town (“Solar Energy System”); and

**WHEREAS**, the Town requires the submission and approval of a decommissioning plan and the posting of financial assurance in connection with the construction of a solar energy system; and

**WHEREAS**, Brickchurch has submitted to the Town a decommissioning plan signed by Noale Hyte dated March 28, 2017; and

**WHEREAS**, Brickchurch has submitted to the Town a decommissioning estimate dated October 18, 2019 prepared by Mott MacDonald, and signed and stamped by Josh Berkow, PE; and

**WHEREAS**, Brickchurch has submitted to the Town a proposed form of decommissioning bond naming and Fidelity and Deposit Company of Maryland, a corporation duly authorized under the laws of the State of Illinois, as Surety; it is now therefore

**RESOLVED**, that the Town Board of the Town of Sodus approves Brickchurch’s decommissioning plan, decommissioning estimate and proposed decommissioning bond; and it is

**RESOLVED**, that upon receipt of a fully executed decommissioning bond and proof that the surety is authorized to issue such in the State of New York, the Town Board of the Town of Sodus approves the construction of the Solar Energy System.

**NOW BE IT RESOLVED**, Councilperson Jim Quinn motioned to adopt resolution ***(3 11-2019),*** 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. Resolution adopted.

Councilperson David LeRoy motioned to split the RG&E invoice on a monthly basis (billed to the Sodus American Legion) with the Village of Sodus 50/50 indefinitely 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.

**DISCUSSION**

1. Supervisor LeRoy discussed the REDI Committee and the reimbursement requirements for flooding damages and Wayne County.

**FYI**

1. Minutes of Zoning/and or Planning Board Meetings *(provided).*
2. Monthly Report from Wayne County Sheriff’s Office *(provided).*
3. Letter from Amy Kendall to NYS Woman Business Enterprise *(provided).*
4. Monthly events by township for Wayne County 911 *(Steve)*
5. Councilperson Jim Quinn asked if any developments have been made regarding ownership of Town of Sodus property in Sodus Point. Amy Kendall was under the impression the Town at this time really wasn’t sure if this was a good move. Amy will look into this further and discuss her findings at our next meeting

A motion by Councilperson Scott Johnson 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 8:08 PM

Recording Secretary,

Lori K. Diver

Sodus Town Clerk