**AGENDA**

**Sodus Town Board Agenda**

**Regular Month End-Town Board Meeting**

**September 29, 2022**

**Executive Session 2:00 PM**

**Regular Month End Town Board Meeting 4:00 PM**

Pledge of Allegiance

Roll Call: *(Lori Diver)*

Supervisor Johnson, Councilperson LeRoy, Councilperson Ross, Councilperson Tertinek, Councilperson Willmott

Motion to enter into Executive Session regarding a personnel issue with a particular person

First\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Seconded\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Time\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Motion to exit out of Executive Session

First\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Seconded\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Time\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Motion to recess until 4:00 PM for the Regular Month End-Town Board Meeting

First\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Seconded\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Time\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Motion to reconvene at 4:00 PM for the Regular Month End-Town Board Meeting

First\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Seconded\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Time\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Agenda:**

1. Town Board discusses budget line items with the 2023 Town of Sodus budget.
2. The Town Board motions and acknowledges Lori Diver Sodus Town Clerk presented the 2023 Tentative Budget to each member which now has become the 2023 Preliminary Budget.

First\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Seconded\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Motion to set up public hearing date for the 2023 preliminary budget and then immediately following a Special Board meeting for the adoption of the 2023 budget.

First\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Seconded\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Motion allowing Lori Diver Sodus Town Clerk to advertise for public hearing and special board meeting.

First\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Seconded\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Resolution approving Scott Johnson Sodus Town Supervisor and Bree Crandell Supervisor Clerk to set up a Trust Custodial fund in Williamson Law Book, along with opening a separate checking account for it at LNB.

*This is a mandate from the NY State Comptroller’s office referring to GASB 85. This account will handle any monies that come in and go right back out, i.e. the 2% money we get from the state for the fire departments; it comes in and Bree sends it right back out. This is the same for the taxes we collect for the two Marion water districts; its money that comes in and goes right back out.* **(*Bree-Susie)***

First\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Seconded\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Discussion/Resolution approving to hire part-time Court Clerk Jacqueline Susan Samuels on a probationary basis to shadow Kathy Rowley, Court Clerk before she retires.

First\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Seconded\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Times of Wayne County discussion ***(Scott)***
2. Motion to adjourn.

First\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Seconded\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Time\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**MINUTES**

Minutes of the Month End Town Board Meeting commencing at 2:00 PM with Executive Session and then 4:00 PM with its Month End Town Board Meeting in the upstairs meeting room September 29, 2022 located at 14-16 Mill St. Sodus, NY 14551.

All meetings are open to the public.

In addition this meeting was available through Zoom. Legal Notices were published and posted accordingly.

Present: Scott Johnson, Supervisor

David LeRoy, Councilperson/Deputy Supervisor Don Ross, Councilperson

Chris Tertinek, Councilperson

Cathy Willmott, Councilperson

Recording Secretary: Susie Jacobs, Acting Town Clerk

(Appointed by Town Clerk, Lori Diver)

Absent: Lori Diver, Sodus Town Clerk -absent after 4:37 PM

Others Present: Lori Diver, Sodus Town Clerk *(Zoomed until 4:37 PM)*

Bree Crandell- Supervisor Clerk

Amy Kendall, Town Attorney *(Zoom)*

Supervisor Scott Johnson called the Month End Town Board Meeting to order commencing at 2:00 PM with Executive Session and Susie Jacobs opened with roll call. All Board Members were present.

Motion by Councilperson Cathy Willmott to enter into Executive Session regarding medical, financial, credit or employment history of a particular person or corporation or relating to appointment promotion demotion discipline or removal 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, Cathy Willmott; aye, Motion carried.

Time: 2:00PM

Motion by Councilperson Cathy Willmott to exit out of Executive Session 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, Cathy Willmott; aye, Motion carried.

Time: 3:42PM

Motion by Councilperson Don Ross to reconvene for its Month End Town Board Meeting 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, Cathy Willmott; aye, Motion carried.

Time: 3:47 PM

Assessor Nathan Mack spoke with the Sodus Town Board regarding the EDU’s at the Fairways. Mack is proposing 24 EDU’s for 24 parcels. The Town Board shared if Town Attorney Amy Kendall is okay with Mack’s proposition, the Town Board is in agreement too. Tabled until Attorney Amy Kendall can confirm this is okay.

***SALT BARN CAPITAL RESERVE FUND***

***RESOLUTION***

***(4 9-2022)***

**RESOLVED**, that pursuant to Section 6-c of the General Municipal Law, as amended, the Town Board of the Town of Sodus (the “Town”) does hereby establish a Capital Reserve Fund to fund the cost associated with construction of the Salt Barn on Town property on Rotterdam Road.  The Supervisor is hereby authorized to deposit moneys of this reserve fund in a separate bank account to be known as the Salt Barn Capital Reserve Fund (the “Fund”).  The Supervisor is authorized to deposit, secure and invest the moneys of this Fund pursuant to General Municipal Law §§10 and 11 and consistent with the investment policy of the Town of Sodus.  Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Fund. The chief fiscal officer shall account for the Fund in a manner which maintains the separate identity of the Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Fund. Except as otherwise provided by law, expenditures from this Fund shall be made only for the purpose for which the Fund is established. No expenditure shall be made from the Fund, except upon authorization of the Town Board, and pursuant to the permissive referendum requirements of General Municipal Law §6-c.  This resolution is subject to permissive referendum pursuant to subdivision 4 of Section 6-c of the General Municipal Law.

Motion by Councilperson David LeRoy to adopt this resolution 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, Cathy Willmott; aye, Resolution Adopted.

***DOG RESERVE FUND***

***RESOLUTION***

***(5 9-2022)***

**RESOLVED**, that pursuant to Section 6-c of the General Municipal Law, as amended, the Town Board of the Town of Sodus (the “Town”) does hereby establish a Reserve Fund to deposit and separately account for dog licensing fees, penalties and fines, as well other animal control fees, penalties and fines, and to pay from those funds costs incurred for animal control.  The Supervisor is hereby authorized to deposit moneys of this reserve fund in a separate bank account to be known as the Dog License Reserve Fund (the “Fund”).  The Supervisor is authorized to deposit, secure and invest the moneys of this Fund pursuant to General Municipal Law §§10 and 11 and consistent with the investment policy of the Town of Sodus.  Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Fund. The chief fiscal officer shall account for the Fund in a manner which maintains the separate identity of the Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Fund. Except as otherwise provided by law, expenditures from this Fund shall be made only for the purpose for which the Fund is established. No expenditure shall be made from the Fund, except upon authorization of the Town Board.

Motion by Councilperson David LeRoy to adopt this resolution was seconded by Councilperson Cathy Willmott.

Upon roll call the following votes were heard, Scott Johnson, aye; David LeRoy, aye; Don Ross, aye; Chris Tertinek, aye, Cathy Willmott; aye, Resolution Adopted.

Motion by Councilperson Cathy Willmott to publish legal notice for Salt Barn Capital Reserve Fund Permissive Referendum 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, Cathy Willmott; aye, Motion carried.

Motion by Councilperson Don Ross acknowledging Susie Jacobs Acting Town Clerk; gave the Sodus Town Board the 2023 Tentative Town of Sodus Budget to each board member and which now has become the 2023 Town of Sodus Preliminary Budget 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, Cathy Willmott; aye, Motion carried.

Councilperson Cathy Willmott motioned to hold a public hearing for Local Law # 2-2022 (2% Tax Cap) at 4:35 PM on Thursday October 27, 2022 and allow Lori Diver Sodus Town Clerk to advertise 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 Cathy Willmott; absent. Motion carried.

Councilperson Cathy Willmott motioned to hold public hearings for the three fire districts and two fire departments beginning at 4:40 PM – 5:00 PM on Thursday October 27, 2022 and authorizing Lori Diver Sodus Town Clerk to advertise 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 Cathy Willmott; absent. Motion carried.

Councilperson Cathy Willmott motioned to hold a public hearing for the 2023 Town of Sodus Preliminary Budget on Thursday October 27, 2022 at 5:05 PM and authorizes Lori Diver Sodus Town Clerk to advertise 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 Cathy Willmott; absent. Motion carried.

***TRUST CUSTODIAL FUND***

***RESOLUTION***

***(6 9-2022)***

**RESOLVED**, this resolution approves Scott Johnson Sodus Town Supervisor and Bree Crandell Supervisor Clerk to set up a Trust Custodial fund in Williamson Law Book, along with opening a separate checking account for it at LNB.

Motion by Councilperson Don Ross to adopt this resolution was seconded by Councilperson Cathy Willmott.

Upon roll call the following votes were heard, Scott Johnson, aye; David LeRoy, aye; Don Ross, aye; Chris Tertinek, aye, Cathy Willmott; aye, Resolution Adopted.

***JACQUELINE SUSAN SAMUELS –PART TIME COURT CLERK***

***RESOLUTION***

***(7 9-2022)***

**RESOLVED**, the Town Board authorizes the hire of Jaqueline Susan Samuels as a part-time Court Clerk to shadow Kathy Rowley’s position. Samuels will be hired on a probationary status (date to be determined), non-benefited and her hourly pay all will be met and in detail within terms of her new hire packet from the Town of Sodus Human Resource Department (Supervisor’s Office).

Motion by Councilperson Don Ross to adopt this resolution was seconded by Councilperson Cathy Willmott.

Upon roll call the following votes were heard, Scott Johnson, aye; David LeRoy, aye; Don Ross, aye; Chris Tertinek, aye, Cathy Willmott; aye, Resolution Adopted.

***LEGAL NEWSPAPER TIMES OF WAYNE COUNTY TO LAKESHORE NEWS***

***RESOLUTION***

***(8 9-2022)***

**RESOLVED**, the Town Board moves to adopt the switch of its legal newspaper effective immediately from the Times of Wayne County to the Lakeshore News.

Motion by Councilperson David LeRoy to adopt this resolution 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, Cathy Willmott; aye, Resolution Adopted.

Councilperson David LeRoy motioned to hold its Regular Town Board Meeting Tuesday October 11, 2022 at the Rural Baptist Cemetery Church at 3:00 PM and to authorize Lori Diver Sodus Town Clerk to advertise was seconded by Councilperson Cathy Willmott. Upon roll call the following votes were heard, Scott Johnson, aye; David LeRoy, aye; Don Ross, aye; Chris Tertinek, aye; and Cathy Willmott; aye. Motion carried.

Motion by Councilperson Cathy Willmott to enter into Executive Session regarding medical, financial, credit or employment history of a particular person or corporation or relating to appointment promotion demotion discipline or removal 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, Cathy Willmott; aye, Motion carried. Time: 4:37PM

Motion by Councilperson Cathy Willmott to exit out of Executive Session and enter into Regular Session 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, Cathy Willmott; aye, Motion carried.

Time: 4:50PM

Councilperson Don Ross motioned to adjourn the Month End Town Board Meeting 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 Cathy Willmott; absent. Motion carried. 4:50PM

Minutes Written By:

Lori K. Diver

Sodus Town Clerk, RMC