

A regular meeting of the Mendon Town Board was held at 7:00PM, Monday, November 9, 2015, at the Mendon Town Hall, 16 West Main Street, Honeoye Falls, NY.

PRESENT: John D. Moffitt, *Supervisor*
 Cynthia M. Carroll } *Town*
 Wayne H. Menz } *Board*
 Michael E. Roberts } *Members*

ABSENT: None

TOWN CLERK: James P. Merzke

OTHERS PRESENT: William E. Smith, *Highway Superintendent*, Gary Loope, *Highway Clerk*, Daniel Bassette, *Zoning Board of Appeals Member*, and Thomas G. Dubois, *Town Board Member-Elect*.

Supervisor Moffitt called the meeting to order at 7:00PM. The Pledge of Allegiance was recited.

AGENDA

(Resolution 15-230)

A motion was made by Mr. Moffitt, seconded by Mrs. Carroll, to adopt the agenda with the following amendment: add new “No. 18. American Legion Request – Community Center” and renumber accordingly.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

PUBLIC COMMENT

No one from the public wished to comment.

COMMUNICATIONS

Town Clerk

Mr. Merzke reported on the second round of deer management permits, Election Day, and school tax collection.

Highway Superintendent

Mr. Smith distributed and read his report.

Town Board

Mr. Menz reported on the Senior Citizen group.

Mrs. Carroll reported on the Environmental Conservation Board.

Supervisor

Supervisor Moffitt reported on a meeting for employees regarding health care benefits, the lock on 15 Monroe Street, an EAF received from the Village for a cell tower in their borders, a Comptroller’s webinar he viewed, the replacement of the Town Hall’s firewall, the Community Band, a program at the Library, a meeting of the Mendon Foundation regarding flooding, and the upcoming Veterans Day Ceremony.

SUPERVISOR’S MONTHLY REPORT

(Resolution 15-231)

A motion was made by Mr. Menz, seconded by Mr. Roberts, to acknowledge receipt of the Supervisor’s Monthly Report for October 2015.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

TOWN CLERK’S MONTHLY REPORT

(Resolution 15-232)

A motion was made by Mrs. Carroll, seconded by Mr. Menz, to acknowledge receipt of the Town Clerk’s Monthly Report for October 2015, showing receipts and disbursements in the amount of \$8,083.75.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

MINUTES

(Resolution 15-233)

A motion was made by Mr. Roberts, seconded by Mr. Menz, to approve the minutes of the regular meeting held on October 19, 2015, as presented.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

VOUCHERS

General Abstract

(Resolution 15-234)

A motion was made by Mr. Roberts, seconded by Mrs. Carroll, to approve all claims on vouchers numbered 15-491 to 15-559, on General Abstract 15-11, in the amount of \$74,186.68.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

Highway Abstract

(Resolution 15-235)

A motion was made by Mr. Roberts, seconded by Mr. Menz, to approve all claims on vouchers numbered 15-270 to 15-290, on Highway Abstract 15-11, in the amount of \$50,130.92.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

Library Abstract

Vouchers numbered 15-167 to 15-183, on Library Abstract 15-11, in the amount of \$7,135.83, were presented to the Town Board for payment.

A public hearing of the Mendon Town Board was held at 7:12PM, Monday, November 9, 2015, at the Mendon Town Hall, 16 West Main Street, Honeoye Falls, NY.

PRESENT:	John D. Moffitt, <i>Supervisor</i>		
	Cynthia M. Carroll	}	<i>Town</i>
	Wayne H. Menz	}	<i>Board</i>
	Michael E. Roberts	}	<i>Members</i>

ABSENT: None

TOWN CLERK: James P. Merzke

OTHERS PRESENT: William E. Smith, *Highway Superintendent*, Gary Loope, *Highway Clerk*, Daniel Bassette, *Zoning Board of Appeals Member*, and Thomas G. Dubois, *Town Board Member-Elect*.

Supervisor Moffitt opened the public hearing at 7:12PM.

The public hearing was held to consider the 2016 Fire Protection District Contract with the Village of Honeoye Falls.

PUBLIC COMMENT

No one from the public wished to comment.

(Resolution 15-236)

A motion was made by Mr. Menz, seconded by Mrs. Carroll, to close the public hearing at 7:12PM.
Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

FIRE PROTECTION DISTRICT CONTRACT – ADOPTION***(Resolution 15-237)***

A motion was made by Mrs. Carroll, seconded by Mr. Menz, to authorize the Supervisor to execute the Fire Protection District Contract with the Village of Honeoye Falls.
Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

BUILDING RESERVES – TRANSFER FROM ASSESSMENT RESERVES TO A FUND OPERATING ACCOUNT***(Resolution 15-238)***

A motion was made by Mr. Roberts, seconded by Mr. Menz, to transfer Assessment reserve funds in the amount of \$6,400.00 from the A Fund Assessment Reserve Fund account to the A Fund operating account, as per the 2015 budget for expenses associated with the revaluation. This resolution is subject to Permissive Referendum.
Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

WATER DISTRICT #1 EXTENSION #5 – ESTABLISH PUBLIC HEARING***(Resolution 15-239)***

A motion was made by Mr. Menz, seconded by Mrs. Carroll, to adopt the following:
WHEREAS, the Town Board of the Town of Mendon (the “Town Board” and the “Town,” respectively), in the County of Monroe, New York, has received a petition pursuant to section 191 of the Town Law, for the Extension No. 5 of Water District No. 1 (the “District”), which petition purports to be signed by the owners of taxable real property situate in the proposed District, owning in the aggregate at least one-half of the assessed valuation of all the taxable real property of the proposed District, as shown upon the latest completed assessment roll of said Town, and including the signatures of resident owners of taxable real property owning taxable real property aggregating at least one-half of the assessed valuation of all the taxable real property of the proposed District, owned by resident owners according to the latest completed assessment roll, and
WHEREAS, the petition purported to describe the boundaries of the proposed District in a manner sufficient to identify the lands included therein as in a deed of conveyance and was signed by the petitioners and acknowledged or proved in the same manner as a deed to be recorded, and
WHEREAS, the proposed District is bounded and described as beginning at or near 162 Smith Road extending east along Smith Road to West Bloomfield Road, then north along West Bloomfield road to or near 562 West Bloomfield Road, as more fully described in the petition, and
WHEREAS, a map, plan and report LaBelle Associates, competent engineers duly licensed by the State of New York, for the proposed establishment of said District is now on file in the office of the Town Clerk, and
WHEREAS, the Town Board will give due consideration to the impact that such construction in District may have on the environment and on the basis of such consideration, the Town Board will determine the environmental impact, if any, to be caused by such construction, and
WHEREAS, the maximum amount proposed to be expended for the construction of the Water Improvement is estimated to be \$556,000, and the plan of financing includes the issuance of be \$556,000 serial bonds of the Town to finance said cost and the assessment, levy and collection of special assessments from the several lots and parcels of land within the District, which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be determined on an ad valorem basis, to pay the principal of and interest on said bonds as the same shall become due and payable.
NOW, THEREFORE, BE IT DETERMINED and stated that there will be no hookup fee and the estimated cost of the District to the “typical property” (as defined in the Town Law) is \$1,794.00, annually; and that the Town Board has theretofore caused to be prepared and filed for public inspection with the Town Clerk, a detailed explanation of how such estimates were computed; and further that the cost of the District to

such typical property is above the average estimated cost to the typical properties for the establishment of similar types of districts, as computed by the State Comptroller, and
BE IT ORDERED, that a meeting of the Town Board of the Town be held at the Town Hall, 16 West Main St., Honeoye Falls, NY, on December 14, 2015, at 7:00PM to consider the establishment of the proposed District herein referred to and the construction of such water system therein, and to hear all persons interested in the subject thereof, concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law, and
BE IT FURTHER ORDERED, that the Town Clerk publish at least once in the Sentinel, a newspaper having a general circulation in the Town and hereby designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of section 30 of the Town Law, a copy of this order, certified by said Town Clerk, the first publication thereof and said posting to be not less than 10 nor more than 20 days before the date of such public hearing, and
FINALLY, BE IT FURTHER ORDERED, that the Town Clerk file a certified copy of this order with the Comptroller of the State of New York on or about the date of publication of a copy of this order.
Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

HIGHWAY DEPARTMENT – PURCHASE OF TRUCK

(Resolution 15-240)

A motion was made by Mr. Menz, seconded by Mr. Roberts, to authorize the purchase of a new dump truck chassis, box, plow, wing, and slater under Onondaga County NY bid pricing, contract #7823, at a cost not to exceed \$226,900.00, and coordinated through Tracey Road Equipment. This purchase is provided for in the Highway Department Equipment Capital Plan, and the 2016 Town Budget.
Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

HIGHWAY DEPARTMENT – DECLARATION OF SURPLUS – SCRAP

(Resolution 15-241)

A motion was made by Mrs. Carroll, seconded by Mr. Roberts, to declare the scrap metal at the Highway Department as scrap and authorize its disposal.
Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

16 WEST MAIN STREET – APPRAISAL

(Resolution 15-242)

A motion was made by Mr. Roberts, seconded by Mr. Menz, to authorize the Supervisor to contract with Pogel Schubmehl & Ferrara, LLC, to perform an appraisal of Town owned property at 16 West Main Street, Honeoye Falls, NY, for an amount not to exceed \$2,500.00.
Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

2016 HOLIDAY SCHEDULE

(Resolution 15-243)

A motion was made by Mrs. Carroll, seconded by Mr. Roberts, to adopt the following 2016 Holiday Schedules:

Highway Department

Friday, March 25, 2016, Good Friday
Monday, May 30, 2016, Memorial Day (observed)
Monday, July 4, 2016, Independence Day
Tuesday, July 5, 2016, Float Day
Wednesday, July 6, 2016, (in lieu of New Year's Day)
Thursday, July 7, 2016, (in lieu of MLK Day)
Friday, July 8, 2016, (in lieu of President's Day)
Monday, September 5, 2016, Labor Day
Monday, October 10, 2016, Columbus Day
Friday, November 11, 2016, Veterans Day
Thursday, November 24, 2016, Thanksgiving Day

Friday, November 25, 2016, Float Day
Friday, December 23, 2016, Christmas Observed

Town Hall

Friday, January 1, 2016, New Year's Day (observed)
Monday, January 18, 2016, Dr. Martin Luther King, Jr. Day
Monday, February 15, 2016, President's Day
Friday, March 25, 2016, Good Friday
Monday, May 30, 2016, Memorial Day (observed)
Friday, July 1, 2016, Float Day
Monday, July 4, 2016, Independence Day
Monday, September 5, 2016, Labor Day
Monday, October 10, 2016, Columbus Day
Friday, November 11, 2016, Veterans Day
Thursday, November 24, 2016, Thanksgiving Day
Friday, November 25, 2016, Float Day
Monday, December 26, 2016, Christmas

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

AMBULANCE UPDATE – DISCUSSION

Supervisor Moffitt updated the Board on the ambulance. They have not met in the past few weeks.

AMERICAN LEGION REQUEST – COMMUNITY CENTER

(Resolution 15-244)

A motion was made by Mr. Roberts, seconded by Mrs. Carroll, to allow the American Legion to have alcoholic beverages in the Falls Post 664 Town of Mendon Community Center, at its Christmas party on Thursday, December 10, 2015, its regular meeting night.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

PUBLIC COMMENT

Mr. Bassette commented on the firewall purchase.

EXECUTIVE SESSION – ASSESSMENT LITIGATION

(Resolution 15-245)

A motion was made by Mr. Roberts, seconded by Mrs. Carroll, to enter into executive session for the purpose of discussing assessment litigation with Rite Aid at 7:19PM. Town Board Member-Elect Dubois was invited to attend.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

(Resolution 15-246)

A motion was made by Mrs. Carroll, seconded by Mr. Roberts, to exit executive session at 7:26PM.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

ASSESSMENT LITIGATION – RITE AID SETTLEMENT

(Resolution 15-247)

A motion was made by Mr. Roberts, seconded by Mrs. Carroll, to authorize the Supervisor to enter into a settlement agreement with Rite Aid for their property in the Town of Mendon, establishing the assessment at \$950,000.00 with the following conditions: there will be no challenges and no changes to this assessment for three (3) years; there will be no refunds for taxes paid in prior years; and the Honeoye Falls-Lima School District must agree.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

11/9/15

TOWN OF MENDON

REGULAR MEETING

ADJOURNMENT

(Resolution 15-248)

A motion was made by Mrs. Carroll, seconded by Mr. Menz, to adjourn the meeting at 7:27PM.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.