

A regular meeting of the Mendon Town Board was held at 7:00PM, Monday, June 12, 2017, at the Mendon Town Hall, 16 West Main Street, Honeoye Falls, NY.

PRESENT: John D. Moffitt, *Supervisor*
 Cynthia M. Carroll }
 Thomas G. Dubois } *Town Board*
 John L. Hagreen } *Members*
 Michael E. Roberts }

ABSENT: None

TOWN CLERK: James P. Merzke

OTHERS PRESENT: Sheldon W. Boyce, Jr., *Town Attorney*; Earl P. DeRue, *Planning Board*, Daniel Bassette, *Zoning Board of Appeals*; and approximately 15 other people.

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

AGENDA
(Resolution 17-145)

A motion was made by Mr. Dubois, seconded by Mrs. Carroll, to adopt the agenda as presented.

Supervisor Moffitt explained that the scheduled public hearings on the Chapter 200 amendment and the Solar Farm Assessment Opt-out needed to be rescheduled because of a publication error. He did indicate that people could still comment on those topics during public comment time if they desire.

Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mr. Hagreen, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

PUBLIC COMMENT

Anthony Daniele, 644 Mile Square Road, spoke against the proposed Solar Farm Assessment Opt-out local law.

Earl DeRue, 559 Cheese Factory Road, spoke against the proposed Chapter 200 Amendment local law and the proposed Solar Farm Assessment Opt-out local law.

COMMUNICATIONS

Town Clerk

Mr. Merzke reported on the Final Report of Tax Collections he has submitted to the County.

Town Board

Mrs. Carroll reported on the Library Board of Trustees.

Mr. Hagreen reported on two training sessions he attended regarding solar farms.

Supervisor

Supervisor Moffitt reported on the Town’s MS4 membership; flowers at the Community Center; preliminary grant approval received by the Library Board of Trustees; Town email; presentation by Monroe County Emergency Services Office at next Town Board meeting; Village workshop on the Fire Department; the Tax Receiver’s Final Report of Tax Collections; a letter from our County Legislator regarding the DEC and flooding issues in the Hamlet; the Memorial Day and Mendon Fireman’s Carnival parades; CDBG block grant for sidewalks denial; absence next week will be covered by Mr. Roberts as Deputy Supervisor; and the continuing recodification project.

SUPERVISOR'S MONTHLY REPORT***(Resolution 17-146)***

A motion was made by Mrs. Carroll, seconded by Mr. Hagreen, to acknowledge receipt of the Supervisor's Monthly Report for May 2017.

Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mr. Hagreen, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

TOWN CLERK'S MONTHLY REPORT***(Resolution 17-147)***

A motion was made by Mr. Roberts, seconded by Mr. Dubois, to acknowledge receipt of the Town Clerk's Monthly Report for May 2017, showing receipts and disbursements in the amount of \$4,472.00.

Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mr. Hagreen, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

MINUTES***(Resolution 17-148)***

A motion was made by Mr. Hagreen, seconded by Mrs. Carroll, to approve the minutes of the regular meeting held on May 8, 2017, as presented.

Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mr. Hagreen, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

BUDGET ADJUSTMENTS***(Resolution 17-149)***

A motion was made by Mr. Hagreen, seconded by Mr. Dubois, to approve the following budget adjustments:

From	A1220.410	Supervisor's travel/dues/conf.	\$200.00
To	A1220.2	Supervisor's Equipment	\$200.00
From	A1355.480	Assessor Small Claims	\$20.00
To	A1355.410	Assessor travel/dues/conf.	\$20.00
From	A1620.412	Building Comm Center Improve.	\$10.00
To	A1620.409	Building Town Hall Sewer	\$10.00
From	A5132.2	Garage Equipment	\$1,000.00
To	A5132.1	Garage Personnel	\$1,000.00
From	A5132.2	Garage Equipment	\$294.13
To	A5132.421	Garage Uniform Cleaning	\$294.13
From	A7110.1	Semmel Road Sports Personnel	\$26.35
To	A5133.1	Salt Shed	\$26.35
From	A7110.2	Semmel Rd. Sports Equipment	\$530.00
From	A7110.42	Semmel Rd. Facility Supplies	\$2,000.00
From	A7120.2	Semmel Rd. Fields Equipment	\$1,000.00
To	A8810.4	Cemeteries Contractual	\$3,530.00
From	B8010.401	Zoning Advertising	\$50.00
To	B8010.430	Zoning Office Supplies	\$50.00

Supervisor Moffitt explained the adjustments at Mrs. Carroll's request.

Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mr. Hagreen, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

VOUCHERS**General Abstract*****(Resolution 17-150)***

A motion was made by Mr. Dubois, seconded by Mrs. Carroll, to approve all claims on vouchers numbered 17-245 to 17-303, on General Abstract 17-06, in the amount of \$50,953.66.

Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mr. Hagreen, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

Highway Abstract***(Resolution 17-151)***

A motion was made by Mr. Dubois, seconded by Mr. Roberts, to approve all claims on vouchers numbered 17-120 to 17-145, on Highway Abstract 17-06, in the amount of \$63,455.05.

Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mr. Hagreen, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

Library Abstract

Vouchers numbered 17-073 to 17-094, on Library Abstract 17-06, in the amount of \$13,663.23, were presented to the Town Board for payment.

AMBULANCE – DISCUSSION

Supervisor Moffitt reported to the Board that he, Town Code Enforcement Officer Thomas G. Voorhees and Village Administrator Brian Anderson met at the ambulance facility. They are concerned with the sprinkler system and a meter that appears to have been changed. The Capital Improvement Plan from the Village is not current and he is working with Mr. Anderson to bring it up to date.

SPECIAL TOWN BOARD MEETING – SCHEDULE***(Resolution 17-152)***

A motion was made by Mrs. Carroll, seconded by Mr. Hagreen, to authorize the Supervisor to hold a special meeting 7:00PM, Monday, June 26, 2017, at the Mendon Town Hall, 16 West Main Street, Honeoye Falls, NY, for the purpose of holding three public hearings and any other business that may come before it.

Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mr. Hagreen, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

PROPOSED LOCAL LAW – CHAPTER 200 AMENDMENT – RESCHEDULE PUBLIC HEARING***(Resolution 17-153)***

A motion was made by Mr. Hagreen, seconded by Mr. Dubois, to hold a public hearing at 7:00PM, or as soon thereafter as said hearing can be convened, Monday, June 26, 2017, at the Mendon Town Hall, 16 West Main Street, Honeoye Falls, NY, to discuss a proposed local law regarding allowing so called “secondary structures” on parcels without a primary structure.

Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mr. Hagreen, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

PROPOSED LOCAL LAW – SOLAR FARM ASSESSMENT OPT-OUT – RESCHEDULE PUBLIC HEARING***(Resolution 17-154)***

A motion was made by Mr. Roberts, seconded by Mrs. Carroll, to hold a public hearing at 7:00PM, or as soon thereafter as said hearing can be convened, Monday, June 26, 2017, at the Mendon Town Hall, 16 West Main Street, Honeoye Falls, NY, to discuss a proposed local law regarding opting out of New York State regulations that allow tax breaks for Solar Farms, Wind Energy Systems, or Farm Waste Energy Systems.

Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mr. Hagreen, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

UNSAFE STRUCTURE – 4 PARKS CROSSING – DETERMINATION AND ESTABLISH PUBLIC HEARING***(Resolution 17-155)***

A motion was made by Mr. Dubois, seconded by Mrs. Carroll, to adopt the following:

WHEREAS, the Mendon Town Board has received a report from the Code Enforcement Officer of an unsafe and dangerous property at 4 Parks Crossing (tax account number 263689 204.02-1-33.1).

NOW, THEREFORE, BE IT RESOLVED, that this Town Board determines that this structure should be declared an unsafe building as defined in Chapter 70 of the Town Code and hereby orders is demolition and removal or repair, if such structure can be safely repaired, and

BE IT FURTHER RESOLVED, that a written notice stating the defects thereof shall be served on the owner or other party having a vested or contingent interest in the structure in the manner described in Chapter 70 of the Town Code, requiring the owner to complete repairs or demolition within 60 days, and FINALLY, BE IT RESOLVED, that the Mendon Town Board will hold a public hearing on this matter 7:00PM, or as soon thereafter as said hearing can be convened, Monday, June 26, 2017, at the Mendon Town Hall, 16 West Main Street, Honeoye Falls, New York.

Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mr. Hagreen, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

HIGHWAY DEPARTMENT – NYS SNOW AND ICE AGREEMENT - AUTHORIZATION***(Resolution 17-156)***

A motion was made by Mr. Roberts, seconded by Mr. Hagreen, to authorize the Supervisor to enter into an agreement with New York State regarding snow and ice control. This agreement is for contract #D014749, a new three (3) year contract that begins July 1, 2016 and ends on June 30, 2019, unless extended.

Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mr. Hagreen, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

HIGHWAY DEPARTMENT – SLIDE-IN SALTER – AUTHORIZATION TO PURCHASE***(Resolution 17-157)***

A motion was made by Mr. Dubois, seconded by Mr. Roberts, to authorize the Highway Superintendent to purchase a Harder slid- in salter through George and Swede at a cost not to exceed \$10,270.00. The 2017 Capital Plan provides for the purchase of a new slide in salter. This salter unit will be utilized with the recently authorized Western Star/Henderson dump truck.

Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mr. Hagreen, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

PROPOSED WATER DISTRICT – ORDER AUTHORIZING APPLICATION***(Resolution 17-158)***

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

WHEREAS, an application for approval of Extension No. 5 of Water District No. 1 in the Town of Mendon, County of Monroe, State of New York, was submitted to the Office of the State Comptroller on or about August 8, 2016.

NOW THEREFORE BE IT RESOLVED AND DETERMINED:

- a. That said application was prepared at the direction of the Town Board;
- b. That the contents of said application are believed to be accurate;
- c. That said Extension is in the public interest;
- d. That said Extension will not constitute an undue burden on the property which will bear the cost thereof;
- e. That the cost of said Extension will be assessed, in whole or in part, against the benefitted area;
- f. That all property and property owners benefitted are included within the limits of said Extension; and
- g. That no property or property owners benefitted are excluded from said Extension.

FINALLY, BE IT RESOLVED AND DETERMINED:

That the Town Clerk be, and hereby is, authorized and directed to file a certificate copy of this Resolution in the Office of the Clerk of the County of Monroe, which is the County in which the said Town of Mendon is located, and in the Office of the State Comptroller, within ten days after the adoption of this Resolution, pursuant to the provision of section 195 of the Town Law.

Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mr. Hagreen, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

COMPTROLLER'S TRAINING SEMINAR FOR LOCAL OFFICIALS – ATTENDANCE APPROVAL***(Resolution 17-159)***

A motion was made by Mr. Hagreen, seconded by Mrs. Carroll, to authorize the Supervisor and the Finance Director to attend the Office of the State Comptroller Training Seminar for Local Officials, Wednesday, June 14, 2017, at the Village of Skaneateles Fire Department, 77 West Genesee Street, Skaneateles, NY. All legal fees and expenses will be reimbursed according to Town Policy.

Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mr. Hagreen, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

JUSTICE COURT – TOWN BOARD AUDIT***(Resolution 17-160)***

A motion was made by Mr. Dubois, seconded by Mrs. Carroll, acknowledging that an accounting was done of the Justice Court's financial records with the Court Clerk by Mr. Hagreen and Mr. DuBois, and they found everything to be order.

Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mr. Hagreen, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

MONROE COUNTY HAZARD MITIGATION PLAN – ADOPTION***(Resolution 17-161)***

A motion was made by Mr. Hagreen, seconded by Mr. Dubois, to adopt the following:

WHEREAS, the Town of Mendon, with the assistance from the Monroe County Office of Emergency Management, has gathered information and prepared the Monroe County Hazard Mitigation Plan, and WHEREAS, the Monroe County Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000, and

WHEREAS, the Town of Mendon is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan via the Monroe County website (www.monroecountyhmp.com) and during a Public Hearing on the Plan at a meeting of the Monroe County Legislature on May 9, 2017, and

WHEREAS, the Town of Mendon has reviewed the Plan and affirms that the Plan will be updated no less than every five (5) years.

NOW, THEREFORE, BE IT RESOLVED, that the Mendon Town Board adopts the Monroe County Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute actions in the Plan.

Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mr. Hagreen, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

COMMUNITY CENTER – MONROE COUNTY IN BLOOM - CONTRACT***(Resolution 17-162)***

A motion was made by Mr. Roberts, seconded by Mr. Hagreen, to authorize the Supervisor to enter into an agreement with the Monroe County Department of Transportation to participate in the Monroe County in Bloom Program for the Town of Mendon Falls Post 664 Community Center at 167 North Main Street, Honeoye Falls, for a two-year period commencing on May 26, 2017 and terminating at 12:01AM on May 27, 2019, pursuant to the terms of the Agreement.

Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mr. Hagreen, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

TOWN MARRIAGE OFFICER – APPOINTMENT***(Resolution 17-163)***

A motion was made by Mr. Dubois, seconded by Mrs. Carroll, to adopt the following:

WHEREAS, on July 16, 2012, the Mendon Town Board appointed Honeoye Falls Mayor Richard Milne a Marriage Officer of the Town of Mendon to perform ceremonies within the Town and outside the limits of his jurisdiction as Mayor, and

WHEREAS, the term of office for that position has expired, and

WHEREAS, Mayor Milne has requested he be reappointed as a Marriage Officer so he can continue to perform ceremonies in the Town of Mendon.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Mendon, duly assembled:
Section 1. Pursuant to section 11-c of the Domestic Relations Law, the Town Board acknowledges that the position of Marriage Officer of the Town of Mendon has already been established.

Section 2. Marriage Officers shall serve at the pleasure of the Town Board and for such term as shall be established in the resolution appointing the Marriage Officer, not to exceed four (4) years.

Section 3. Marriage Officers shall serve without salary or wage, but may accept and keep such amount as authorized by state law for each marriage performed, paid by or on behalf of the persons married.

Section 4. The Honorable Richard Milne is hereby appointed as a Town of Mendon Marriage Officer for a term of four (4) years, expiring on June 12, 2021.

Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mr. Haggren, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

PUBLIC COMMENT

Daniel Bassette, 20-1 East Street, spoke in favor of the proposed Chapter 200 Amendment local law.

Joan Heaney, 364 Lanning Road, spoke about the Garden Club meeting at the Community Center.

Ellen Smith, 888 Pittsford Mendon Center Road, spoke against the proposed Solar Farm Assessment Opt-out local law.

ADJOURNMENT

(Resolution 17-164)

A motion was made by Mr. Roberts, seconded by Mr. Dubois, to adjourn the meeting at 7:46PM.

Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mr. Haggren, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.