

A regular meeting of the Mendon Town Board was held at 7:00PM, Monday, October 16, 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: Mary Fletcher, Finance Director; Sheldon W. Boyce, Jr. Town Attorney, Bruce Peckham, *Zoning Board of Appeals Chairman*; and approximately 6 other people.

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

AGENDA

(Resolution 17-221)

A motion was made by Mr. Hagreen, seconded by Mr. Dubois, to adopt the agenda as presented. Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mr. Hagreen, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

PUBLIC COMMENT

No one from the public wished to speak.

COMMUNICATIONS

Town Clerk

Mr. Merzke reported on conservation license sales and school tax collection.

Town Board

Mrs. Carroll reported on the Library Board of Trustees; the Friends of the Library Book Sale; the Zoning Board of Appeals, and Veterans Day.

Supervisor

Supervisor Moffitt reported on a county breakfast meeting for local business leaders; rooster applications; the Town Hall doors; a meeting with the Bond Counsel regarding the water district; the Summer Recreation Program; a meeting with the engineers regarding updating the Comprehensive Plan; a meeting with the Monroe County Legislature regarding shared services; a webinar on the property tax cap; speeding complaints; our fiscal stress grade, which is good; a meeting with Village officials at the Ambulance facility; the tax cap; a meeting with the health insurance broker; and the power outage last night.

SUPERVISOR'S MONTHLY REPORTS

(Resolution 17-222)

A motion was made by Mrs. Carroll, seconded by Mr. Roberts, to acknowledge receipt of the Supervisor's Monthly Reports for August and September 2017.

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

TOWN CLERK'S MONTHLY REPORT***(Resolution 17-223)***

A motion was made by Mr. Hagreen, seconded by Mr. Dubois, to acknowledge receipt of the Town Clerk's Monthly Report for September 2017, showing receipts and disbursements in the amount of \$10,357.00.

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

BUDGET ADJUSTMENTS***(Resolution 17-224)***

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

From	DB5112.400	Transportation Improvements	\$15,000.00
To	DB5115.400	Drainage Contractual	\$15,000.00

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

VOUCHERS**General Abstract*****(Resolution 17-225)***

A motion was made by Mr. Dubois, seconded by Mrs. Carroll, to approve all claims on vouchers numbered 17-450 to 17-502, on General Abstract 17-10, in the amount of \$63,142.14.

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

Highway Abstract***(Resolution 17-226)***

A motion was made by Mr. Dubois, seconded by Mr. Roberts, to approve all claims on vouchers numbered 17-216 to 17-240, on Highway Abstract 17-10, in the amount of \$55,190.38.

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

Library Abstract

Vouchers numbered 17-134 to 17-145, on Library Abstract 17-10a, in the amount of \$3,610.72, and vouchers numbered 17-146 to 17-156, on Library Abstract 17-10b, in the amount of \$5,865.78, were presented to the Board for payment.

PUBLIC HEARING – ABANDONED VEHICLES – 3316 RUSH MENDON ROAD

The public hearing was held to give the property owner of 3316 Rush Mendon Road (tax account number 263689 215.01-1-25) and/or the person(s) owning two (2) unlicensed trailers on said property an opportunity to be heard as to why the same have not been removed and also for the Town Board to receive proposals for the removal of such vehicle, pursuant to Mendon Town Code Chapter 194, Vehicles, Abandoned.

The Supervisor opened the public hearing at 7:17PM.

Public Comment

Jack Maas, property owner, appeared before the Board to explain his situation. He is working to remove the trailer. He has removed a lot of material from the property and is communicating with the neighbors and working with Mr. Voorhees from the Town.

Mark Hulbert, 3318 Rush Mendon Road, spoke on Mr. Maas' behalf.

Margaret (Evans) Hartwick, 1248 Pittsford Mendon Center Road, listed her concerns with the property.

Rod Hartwick, 1248 Pittsford Mendon Center Road, explained his concerns with the property.

Nathan Rozzi, 1244 Pittsford Mendon Center Road, detailed his issues with the property.

(Resolution 17-227)

A motion was made by Mr. Dubois, seconded by Mr. Hagreen, to close the public hearing at 7:34PM.
Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mr. Hagreen, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

(Resolution 17-228)

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

Be it resolved by the Town Board of the Town of Mendon, duly assembled:

1. It appearing to the satisfaction of the Town Board that the procedures of Article 194 of the Town Code have been followed regarding abandoned vehicles consisting of two unlicensed trailers at 3316 Rush Mendon Rd.; and the Town Board having conducted a public hearing on the matter pursuant to such Article on October 16, 2017; if the vehicles are not removed within sixty (60) days, the Supervisor is authorized to solicit proposals for removal of the trailers pursuant to such Article.
2. Pursuant to subdivision C of section 194 of the Code, the expense to the Town of removal of the abandoned vehicles shall be assessed on the real property from which it was removed.
3. This resolution shall take effect immediately.

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

2018 PRELIMINARY TOWN BUDGET – DISCUSSION

The Board discussed some proposed changes to the Tentative Budget.

2018 PRELIMINARY BUDGET –ACCEPTANCE AND ESTABLISH PUBLIC HEARING

(Resolution 17-229)

A motion was made by Mr. Dubois, seconded by Mr. Roberts, to accept the Tentative Budget as the 2018 Preliminary Budget with the following changes:

A Fund:

Decrease Fund Balance to \$106,000

A1620.411 (Town Hall Improvements) decrease to \$45,000

A1620.412 (Community Center Improvements) decrease to \$30,000

B Fund:

Increase Fund Balance to \$661,372

B9950.2 (Transfer to Sidewalks Reserves) add \$50,000

B9902.920 (Transfer to Capital Reserves Ambulance Building) Increase to \$140,000

B8023.440 (Comprehensive Plan Update) add \$5,000

DA Fund:

None

DB Fund:

Decrease Fund Balance to zero

DB5112.4 (Contractual Improvements) increase to \$470,000

L Fund:

Change Total Appropriations to \$299,500

Decrease Revenue total to \$19,700

BE IT FURTHER RESOLVED THAT the Mendon Town Board will hold a public hearing on the 2018 Preliminary Budget, 7:00PM, or as soon thereafter as said hearing can be convened, Monday, November 13, 2017, at the Mendon Town Hall, 16 West Main Street, Honeoye Falls, NY.

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

FIRE PROTECTION DISTRICT CONTRACT – ESTABLISH PUBLIC HEARING***(Resolution 17-230)***

A motion was made by Mr. Hagreen, seconded by Mrs. Carroll, to establish a public hearing for the purpose of reviewing the Fire Protection District contract with the Village of Honeoye Falls, 7:00PM, or as soon thereafter as said hearing can be convened, Monday, November 13, 1017, at the Mendon Town Hall, 16 West Main Street, Honeoye Falls, NY.

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

2018-2023 CAPITAL IMPROVEMENT PROGRAM – ESTABLISH PUBLIC HEARING***(Resolution 17-231)***

A motion was made by Mr. Hagreen, seconded by Mr. Dubois, to establish a public hearing on the 2018-2023 Capital Improvement Program, 7:00PM, or as soon thereafter as said hearing can be convened, Monday, November 13, 2017, at the Mendon Town Hall, 16 West Main Street, Honeoye Falls, NY.

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

TOWN HALL WINDOWS – APPROVAL, SEQRA, FUNDING SOURCES, AND AUTHORIZATION TO PREPARE BID SPECIFICATION DOCUMENTS***(Resolution 17-232)***

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

1. The Town Board hereby approves the Project.
2. The Town Board declares the Project a Type II Action under SEQRA, thus necessitating no further action.
3. The Town Board authorizes the Supervisor to have bid specification documents prepared for the Project.
4. The Project shall be completed at a cost not to exceed \$41,400.00. Funding will come from the following sources: a budget adjustment is approved increasing A1620.411R from \$10,000 to \$35,000 (the additional \$25,000 from Building Reserves). Then, from the 2017 budget: A1620.411 - \$7,600; A1620.411R - \$33,800.

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

15 MONROE STREET ROOF REPLACEMENT – APPROVAL, SEQRA, FUNDING SOURCES, AND AUTHORIZATION TO PREPARE BID SPECIFICATION DOCUMENTS***(Resolution 17-233)***

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

1. The Town Board hereby approves the Project.
2. The Town Board declares the Project a Type II Action under SEQRA, thus necessitating no further action
3. The Town Board authorizes the Supervisor to have bid specification documents prepared for the Project.
4. The Project shall be completed at a cost not to exceed \$115,000.00. Funding will come from the following sources: a budget adjustment increasing A1620.417R from \$35,000 to \$50,000 (the additional \$15,000 being the balance of 15 Monroe Street Roof Reserves). Then, from the 2017 budget: A1620.417 - \$65,000. A1620.417R - \$50,000.

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

SALT BARN PROJECT – AGREEMENT WITH LABELLA ASSOCIATES***(Resolution 17-234)***

A motion was made by Mr. Roberts, seconded by Mrs. Carroll, to authorize the Supervisor to enter into an agreement with LaBella Associates for professional services related to the construction of a salt barn on Semmel Road.

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

LIBRARY BUILDING – INTERIOR REMODELING PROJECTS – APPROVAL AND SEQRA**Library Building Storage Area Project – Approval Confirmation and SEQRA**
(Resolution 17-235)

A motion was made by Mr. Roberts, seconded by Mrs. Carroll, to state that the Library Board of Trustees have complied with the conditions of the Town Board's Project approval, Resolution 17-218, adopted September 11, 2017, and further, to declare the Library Building Storage Area Project a Type II Action under SEQRA, thus necessitating no further action.

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

Library Building Children's Area Project – Approval and SEQRA
(Resolution 17-236)

A motion was made by Mr. Dubois, seconded by Mr. Roberts, to approve the Library Building Children's Area Project, and further, to declare the Project a Type II Action under SEQRA, thus necessitating no further action.

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

LIBRARY BUILDING – STORAGE AREA PROJECT – AGREEMENT WITH LABELLA ASSOCIATES*(Resolution 17-237)*

A motion was made by Mr. Roberts, seconded by Mr. Hagreen, to authorize the Supervisor to enter into an agreement with LaBella Associates for professional services related to the Library Building Storage Area Project.

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

LIBRARY BUILDING – INTERIOR REMODELING PROJECTS – AUTHORIZATION TO PREPARE BID SPECIFICATION DOCUMENTS**Library Building Storage Area Project***(Resolution 17-238)*

A motion was made by Mr. Hagreen, seconded by Mrs. Carroll, to authorize the Supervisor to have bid specification documents prepared related to the Library Building Storage Area Project.

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

Library Building Children's Area Project*(Resolution 17-239)*

A motion was made by Mr. Roberts, seconded by Mr. Dubois, to authorize the Supervisor to have bid specification documents prepared related to the Library Building Children's Area Project.

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

TOWN HALL – COMPUTER PURCHASES*(Resolution 17-240)*

A motion was made by Mr. Hagreen, seconded by Mr. Dubois, to authorize the replacement of two (2) computers for the Town Hall from Dell Inc., at a cost not to exceed \$2,000.00.

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

TOWN SOCIAL MEDIA ACCOUNTS – FACEBOOK*(Resolution 17-241)*

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

Be it resolved by the Town Board of the town of Mendon, duly assembled:

Section 1. The Town Board authorizes a Town Facebook page for the purpose of informing residents on Town matters, to be established and maintained pursuant to the following policy:

1. The Supervisor shall establish the account. Only the Supervisor and his or her designee shall have authority to post matters on the page. The Supervisor must personally approve all postings.
2. The page will not permit comments or reactions to postings.
3. All postings will be Town related for informational purposes only. Minutes, agendas, and informational postings for Town committees and boards are permitted. Confidential information will not be posted.
4. Posts which advocate illegal activity or infringe on copyrights or trademarks are not allowed.
5. No posts will solicit services or products not provided by the Town.

Section 2. This resolution shall take effect immediately.

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

HIGHWAY DEPARTMENT – USED FLAT BED TRUCK – AUTHORIZATION TO SOLICIT BIDS

(Resolution 17-242)

A motion was made by Mrs. Carroll, seconded by Mr. Roberts, to authorize the Highway Superintendent to solicit bids for a used flat bed truck. The purchase of a truck is provided for in the 2017 budget. The Truck will be utilized in the updating of the disposal of effluent from the oil and water separator at the Highway Department. If a suitable truck is located, we anticipate mounting a tank on the truck for transport of the effluent to a suitable disposal site.

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

BOND RESOLUTION DATED OCTOBER 16, 2017 OF THE TOWN BOARD OF THE TOWN OF MENDON AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$556,000 AGGREGATE PRINCIPAL AMOUNT OF SERIAL GENERAL OBLIGATION BONDS TO FINANCE THE CONSTRUCTION AND INSTALLATION OF A WATER DISTRIBUTION SYSTEM FOR EXTENSION NO. 5 OF WATER DISTRICT NO. 1 AT AN ESTIMATED MAXIMUM COST OF \$556,000, LEVY OF TAX IN ANNUAL INSTALLMENTS IN PAYMENT THEREOF, THE EXPENDITURE OF SUCH SUM FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

(Resolution 17-243)

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

WHEREAS, the Town of Mendon (the “Town”) received a notice from the New York State Department of Audit and Control, Albany, New York (the “Comptroller”), dated August 10, 2017, stating that the Comptroller had approved the establishment of Extension No. 5 of Water District No. 1; and WHEREAS, the Town Board by resolution duly adopted on September 11, 2017 approved the establishment of Extension No. 5 of Water District No. 1; and

WHEREAS, the Town Board has issued a negative declaration determining that the improvements to be undertaken in furtherance of the purpose to be financed pursuant to this Resolution will not have a significant effect on the environment;

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town (by favorable vote of not less than two-thirds of all the members of the Board) as follows:

Section 1. The Town is hereby authorized to issue its serial general obligation bonds (the “Bonds”) in the aggregate principal amount of not to exceed \$556,000 pursuant to the Local Finance Law of New York, in order to finance the class of objects or purposes described herein.

Section 2. The class of objects or purposes (herein referred to as “Purpose”) to be financed pursuant to this Resolution is the construction and installation of a water distribution system for Extension No. 5 of Water District No. 1, including rights in land and the acquisition of equipment, machinery and/or apparatus.

Section 3. It is hereby determined and declared that (a) the maximum cost of the Purpose, as estimated by the Town Board, is \$556,000 and (b) the Town plans to finance the cost of the Purpose entirely from funds raised by the issuance of the Bonds and bond anticipation notes hereinafter referred to.

Section 4. It is hereby determined that the Purpose is one of the class of objects or purposes described in Paragraph 1 of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the

Purpose is forty (40) years. The proposed maturity of the Bonds authorized herein will be in excess of five (5) years but will not exceed the period of probable usefulness of the Purpose.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the sale of the Bonds, including renewals of such notes, is hereby delegated to the Supervisor of the Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor of the Town, consistent with the provisions of the Local Finance Law and this Resolution.

Section 6. The power to further authorize the issuance of the Bonds and bond anticipation notes and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues and the use of substantially level debt service, subject to the provisions of this Resolution and the Local Finance Law, and to sell and deliver the Bonds and bond anticipation notes, is hereby delegated to the Supervisor of the Town. The Supervisor of the Town is hereby authorized to sign and the Town Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued pursuant to this Resolution, and to affix to such Bonds and bond anticipation notes the corporate seal of the Town.

Section 7. The faith and credit of the Town of Mendon, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year, to the extent the necessary funds are not provided from other sources. There shall be levied annually on all taxable real property in the Town, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable, to the extent the necessary funds are not provided from other sources.

Section 8. The Purpose is authorized by article twelve of the Town Law and cost thereof is to be assessed upon benefited real property, and, therefore, pursuant to paragraph b(2) of Section 35 of the Local Finance Law is not subject to a permissive referendum.

Section 9. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this Resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this Resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt obligations" in accordance with Section 265(b)(3) of the Code.

Section 10. Pending the sale of bonds herein authorized, the temporary use of funds from the Town's general fund, pursuant to the provisions of Section 165.10 of the New York Local Finance Law, is hereby authorized. The Town reasonably expects to reimburse itself from the proceeds of bonds or notes herein authorized for expenditures made for the purpose to be financed by this Resolution prior to the issuance of such bonds or notes, and this Resolution is intended to constitute a declaration of official intent to reimburse for the purposes of U.S. Treasury § 1.150-2.

Section 11. This Resolution shall be published in full by the Town Clerk together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Town. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 12. The firm Barclay Damon LLP is hereby appointed Bond Counsel of the Town in connection with the bonds and notes herein authorized.

Section 13. This Resolution shall take effect immediately.

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

PUBLIC COMMENT

No one from the public wished to comment.

10/16/17

TOWN OF MENDON

REGULAR MEETING

ADJOURNMENT

(Resolution 17-244)

A motion was made by Mr. Dubois, seconded by Mrs. Carroll, to adjourn the meeting at 8:01PM.

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