

A regular meeting of the Mendon Town Board was held at 7:00PM, Monday, November 19, 2018, 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:** William E. Smith, *Highway Superintendent*; Sheldon W. Boyce, Jr. *Town Attorney*, Mary Fletcher, *Finance Director*, Gary Loope, *Highway Clerk*, Daniel Bassette, *Zoning Board of Appeals*; Craig Moscicki, *Library Board of Trustees Treasurer*, and ten other people.

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

**AGENDA**

**(Resolution 18-244)**

A motion was made by Mr. Hagreen, seconded by Mr. Dubois, to adopt the agenda with the following amendments: add new No. 23, "Mendon Green – Time Extension for Lawsuit against the Town," new No. 24, "Quit Claim Deed – 215.03-1-8.161/SROW – Konyar," new No. 25, "2019 Tax Receiver's Bond – Approval," and renumber accordingly.

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.

**COMMUNICATIONS**

**Town Clerk**

Mr. Merzke reported on the Final Report of 2018-2019 school tax collections, and the resignation of Stephen A. Maxon from the Environmental Conservation Board.

**Highway Superintendent**

Mr. Smith read and distributed his report to the Board

**Town Board**

Mr. Roberts reported on the Planning Board

Mrs. Carroll reported on the Library Board of Trustees.

Mr. Dubois reported the Environmental Conservation Board and the Town property at 15 Monroe Street.

**Supervisor**

Supervisor Moffitt reported on the new Town Code Book; mold mitigation at 15 Monroe Street; the property tax cap; the Town's Indicator Scoring Summary from the Comptroller; the employee meeting with the Town's health insurance broker; the lighting project at the ambulance facility; replacement of the third floor windows at the Town Hall; asking the Environmental Conservation Board about initiating a public awareness campaign regarding recycling; striping on Mendon Ionia Road; discussions with the Town's insurance agent about the cyber policy; different training available to the Town; the Veterans Day luncheon; the Library Board of Trustees; and the upcoming Honeoye Falls Fire Department Christmas Parade.

**SUPERVISOR'S MONTHLY REPORTS*****(Resolution 18-245)***

A motion was made by Mr. Roberts, seconded by Mr. Dubois, to acknowledge receipt of the Supervisor's Monthly Reports for September and October 2018.

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

**TOWN CLERK'S MONTHLY REPORT*****(Resolution 18-246)***

A motion was made by Mrs. Carroll, seconded by Mr. Hagreen, to acknowledge receipt of the Town Clerk's Monthly Report for October 2018, showing receipts and disbursements in the amount of \$11,013.77.

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

**BUDGET ADJUSTMENTS/TRANSFERS*****(Resolution 18-247)***

A motion was made by Mr. Roberts, seconded by Mr. Dubois, to approve the following budget transfer: transfer from Reserves, 15 Monroe Street Roof, \$5,067.00. This resolution is subject to permissive referendum.

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

***(Resolution 18-248)***

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

To	A110.410	Justices travel/dues/conf.	\$125.00
From	A1220.410	Supervisor Travel/Dues/Conf.	\$125.00
To	A1355.420	Assessor Reference Materials	\$100.00
From	A1355.480	Assessor Small Claims Refunds	\$100.00
To	A1620.110	Comm. Center Personnel	\$1,500.00
From	A1620.100	Town Hall Personnel	\$1,500.00
To	A1620.421	22 N. Main St. Personnel	\$1,000.00
From	A1620.422	22 N. Main St. Insurance	\$1,000.00
To	A1620.417	Mo. St. Maintenance	\$4,000.00
From	A1620.427	22 N. Main Improvements	\$4,000.00
To	A1620.421	22 N. Main Building	\$1,000.00
From	A1620.427	22 N. Main Maintenance	\$1,000.00
To	B8021.4	Hamlet sidewalks materials	\$400.00
From	B8023.400	Planning Projects Contracted	\$400.00
To	B5021.1	Hamlet sidewalks personnel	\$600.00
From	B8023.400	Planning Projects Contracted	\$600.00
To	B8020.41	Planning Engineering	\$1,500.00
From	B8023.400	Planning Projects Contracted	\$1,500.00
To	B3620.1	Building Inspector	\$4,344.00
From	B3410.1	Public Safety Personnel	\$2,827.00
From	B8020.114	Planning Officer	\$1,517.00

11/19/18

TOWN OF MENDON

REGULAR MEETING

To	DA5148.118	Village Assistance	\$100.00
From	DA9040.8	Workers Comp.	\$100.00

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

**VOUCHERS**

**General Abstract**

***(Resolution 18-249)***

A motion was made by Mr. Hagreen, seconded by Mr. Dubois, to approve all claims on vouchers numbered 18-497 to 18-610, on General Abstract 18-11, in the amount of \$155,044.49.

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

**Highway Abstract**

***(Resolution 18-250)***

A motion was made by Mr. Hagreen, seconded by Mrs. Carroll, to approve all claims on vouchers numbered 18-284 to 18-318, on Highway Abstract 18-11, in the amount of \$139,313.54.

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

**Library Abstract**

Vouchers numbered 18-151 to 18-166, on Library Abstract 18-11, in the amount of \$11,225.96, were presented to the Board for payment.

**A public hearing of the Mendon Town Board was held at 7:20PM, Monday, November 19, 2018, 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:** William E. Smith, *Highway Superintendent*; Sheldon W. Boyce, Jr. *Town Attorney*, Mary Fletcher, *Finance Director*, Gary Loope, *Highway Clerk*, Daniel Bassette, *Zoning Board of Appeals*; Craig Moscicki, *Library Board of Trustees Treasurer*, and ten other people.

The purpose of the public hearing was to consider the 2019 Preliminary Budget.

*Supervisor Moffitt opened the public hearing at 7:20PM.*

**Public Comment**

No one from the public wished to speak.

Supervisor Moffitt explained the proposed changes to the 2019 Preliminary Budget.

***(Resolution 18-251)***

A motion was made by Mr. Hagreen, seconded by Mrs. Carroll, to close the public hearing at 7:22PM.

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

**2019 FINAL BUDGET – ADOPTION*****(Resolution 18-252)***

A motion was made by Mr. Roberts, seconded by Mr. Hagreen, to approve the 2019 Final Town Budget with the following amendments:

- A Fund: Increase A1990.470 Contingency Fund from \$40,000.00 to \$90,000.00.
- L Fund: Reduce expenditures by \$50,000.00.
- SW Fund #1 #5: Reduce expenditures to \$32,767.00 and reduce amount to be raised to \$32,767.00.

The 2019 Final Budget: [http://townofmendon.org/diyFiles/2019\\_Final\\_Budget.pdf](http://townofmendon.org/diyFiles/2019_Final_Budget.pdf)

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

**CONTINGENCY FUND APPLICATION*****(Resolution 18-253)***

A motion was made by Supervisor Moffitt, seconded by Mrs. Carroll, to adopt the following:

BE IT RESOLVED by the Town Board of the Town of Mendon, duly assembled:

1. Pending resolution of legal issues placing in jeopardy the \$50,000 New York State Grant to the Town for improvements to the Town Library, the 2019 budget for the Library shall be reduced by \$50,000.
2. This amount may, in the sole and unlimited discretion of the Town Board, be restored to the 2019 Library budget, at the completion of the improvements funded by the grant, depending in part on whether any actions by the Library, its Director, staff, Board of Trustees, or members of the Friends of the Mendon Library cause cost overruns or unreasonable additional time spent by Town officials and employees.
3. This resolution shall take effect immediately.

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

**2019-2024 CAPITAL IMPROVEMENT PROGRAM*****(Resolution 18-254)***

A motion was made by Mrs. Carroll, seconded by Mr. Roberts, to adopt the 2019-2024 Capital Improvement Program.

The 2019-2024 Capital Improvement Program: [http://townofmendon.org/diyFiles/2019\\_CIP.pdf](http://townofmendon.org/diyFiles/2019_CIP.pdf)

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

**TOWN HALL – 2019 OFFICE CLOSINGS SCHEDULE – ADOPTION*****(Resolution 18-255)***

A motion was made by Mr. Hagreen, seconded by Mr. Roberts, to adopt the following 2019 Office Closings for the Town Hall:

- Tuesday, January 1, 2019 – New Year’s Day  
Monday, January 21, 2019 – Dr. Martin Luther King, Jr. Day  
Monday, February 18, 2019 – President’s Day  
Monday, May 27, 2019 – Memorial Day (observed)  
Thursday, July 4, 2019 – Independence Day  
Friday, July 5, 2019 – Float Day  
Monday, September 2, 2019 – Labor Day

Monday, October 14, 2019 – Columbus Day  
Monday, November 11, 2019 – Veterans Day  
Thursday, November 28, 2019 – Thanksgiving Day  
Friday, November 29, 2019 – Float Day  
Wednesday, December 25, 2019 – Christmas Day  
Thursday, December 26, 2019 - Float Day

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

#### **TOWN BOARD – 2019 MEETING SCHEDULE – ADOPTION**

##### ***(Resolution 18-256)***

A motion was made by Mr. Roberts, seconded by Mrs. Carroll, to adopt the following Town Board Meeting schedule for 2019: Organizational Meeting: January 7; regular meetings: February 11, March 11, April 8, May 13, June 10, July 15, August 12, September 9, September 30, October 21, November 18, December 9.

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

#### **ZONING BOARD OF APPEALS – APPOINTMENT**

##### ***(Resolution 18-257)***

A motion was made by Mr. Hagreen, seconded by Mr. Roberts, to appoint Stephen A. Maxon to the Zoning Board of Appeals, to fill an unexpired term ending December 31, 2018.

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

#### **ENVIRONMENTAL CONSERVATION BOARD – APPOINTMENTS**

##### ***(Resolution 18-258)***

A motion was made by Mr. Dubois, seconded by Mrs. Carroll, to appoint Stacy Downs and Jeremy L. Dalton to the Environmental Conservation Board, terms to expire December 31, 2019.

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

#### **COMPREHENSIVE PLAN UPDATE COMMITTEE – APPOINTMENTS**

##### ***(Resolution 18-259)***

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. The following are hereby appointed as members of the Comprehensive Plan Citizen Advisory Committee, to serve at the pleasure of the Town Board: Morris W. Bickweat, Cynthia Carroll, Renee Casler, Earl DeRue, Mary Ann Lynch, Mary Louise Meizenzahl, Brent Rosiek and Derek West, terms to expire December 31, 2019. The Supervisor shall serve ex officio as a non-voting member. An additional member is to be named at a later date.
2. The Committee will make recommendations to the Town Board on proposed updates to the Town Comprehensive Plan. The Town Board will consider such recommendations and may make such amendments to the Town Comprehensive Plan as it deems appropriate pursuant to section 272-a of the Town Law. This Advisory Committee is not a Special Committee as defined in paragraph (c) of subdivision 2 of section 272-a, but is advisory only. The Town Board retains sole discretion and authority to make any amendments to the Comprehensive Plan.
3. This resolution is effective immediately.

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

**15 MONROE STREET – DEHUMIDIFIER PURCHASE*****(Resolution 18-260)***

A motion was made by Mrs. Carroll, seconded by Mr. Dubois, to authorize the Supervisor to purchase a Dri-Eaz F203-A Dizair 1200 dehumidifier with filter for 15 Monroe Street at a cost not to exceed \$1,700.00, to be paid from account A1620.417.

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

**15 MONROE STREET – RESTROOMS AND LIFT – AGREEMENT WITH LABELLA**

Supervisor Moffitt requested this matter be considered at a future date and the Board agreed.

**TOWN BOARD – SPECIAL MEETING – DECEMBER 31, 2018*****(Resolution 18-261)***

A motion was made by Mrs. Carroll, seconded by Mr. Dubois, to hold a Special Meeting, 12:00PM, Monday, December 31, 2018, at the Mendon Town Hall, 16 West Main Street, Honeoye Falls, NY, for the purpose of paying year-end vouchers and any other business that may come before the Board.

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

**OUT OF DISTRICT SEWER AGREEMENT WITH THE TOWN OF PITTSFORD – ESTABLISH PUBLIC HEARING*****(Resolution 18-262)***

A motion was made by Mr. Roberts, seconded by Mr. Hagreen, to hold a public hearing to consider the resolution below, 7:00PM, or as soon thereafter as said hearing can be convened, Monday, December 10, 2018, at the Mendon Town Hall, 16 West Main Street, Honeoye Falls, NY.

BE IT RESOLVED by the Town Board of the Town of Mendon, duly assembled:

1. Should a development on the parcel currently denominated as Mendon Green requiring sanitary sewer service by the Town of Pittsford receive final approval by this Town, the Supervisor is authorized to execute a Sewer Transmission and Maintenance Agreement with the Town of Pittsford in a form to be approved by the Town Attorney.
2. This resolution shall take effect immediately.

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

**MENDON GREEN – TIME EXTENSION FOR LAWSUIT AGAINST THE TOWN*****(Resolution 18-263)***

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

BE IT RESOLVED by the Town Board of the Town of Mendon, duly assembled:

1. The Supervisor is authorized to execute such documents as are necessary to extend the time limitation for the applicants of the Mendon Green development to seek judicial review of their application to May 15, 2019.
2. This resolution shall take effect immediately.

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

**QUIT CLAIM DEED – 215.03-1-8.161/SROW – KONYAR*****(Resolution 18-264)***

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

BE IT RESOLVED by the Town Board of the Town of Mendon, duly assembled:

1. The Supervisor is authorized to execute a Quit Claim Deed to Vincent A. Konyar, for a .37 acre parcel, tax account no. 215.03-1-8.161/SROW, which he owns and which was part of the Stoney Lonesome Road right of way previously abandoned by the Town.
2. This Resolution shall take effect immediately.

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

**2019 TAX RECEIVER’S BOND – APPROVAL**

*(Resolution 18-265)*

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

BE IT RESOLVED, by the Board of the Town of Mendon as follows:

Section 1. The Town Board hereby approves the surety, form and amount of the official undertaking for the faithful performance of the duties of the Town Clerk and Receiver of Taxes and Assessments, as follows:

Type of undertaking:	Public Employee Dishonesty
Insurance Company:	Trident-Argonaut Group
Policy Number:	PE-4627462-05
	1/1/19 – 1/1/20
Amount:	\$500,000.00 excess limits on Town Clerk & Tax Receiver

Section 2. A true copy of this resolution shall be affixed to the undertaking to indicate this Board’s approval thereon in accordance with Town Law §25.

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

**PUBLIC COMMENT**

Craig Moscicki, 10 York Street, asked a question about the Contingency Fund resolution.

Terrance J. Kessler, Sr., 1025 Pittsford Mendon Road, commented on the proposed Mendon Green development.

**ADJOURNMENT**

*(Resolution 18-266)*

A motion was made by Mr. Roberts, seconded by Mrs. Carroll, to adjourn the meeting at 7:44PM.

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

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Town Clerk