

The regular meeting of the Mendon Town Board was held at 7:00PM, Monday, July 13, 2020, at the Town of Mendon Falls Post #664 Community Center, 167 North Main Street, Honeoye Falls, NY, following all established COVID-19 guidelines.

<b>PRESENT:</b>	John D. Moffitt, <i>Supervisor</i>		
	Cynthia M. Carroll	}	
	Thomas G. Dubois	}	<i>Town Board</i>
	John L. Hagreen	}	<i>Members</i>
	Karen R. Jenkins	}	

**ABSENT:** None

**DEPUTY TOWN CLERK:** Bonnie M. Toomey

**OTHERS PRESENT:** Sheldon W. Boyce, Jr. *Town Attorney*, Andrew Caschetta, *Highway Superintendent*, and Daniel Bassette, *Zoning Board Chair*.

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

**AGENDA**

***(Resolution 20-145)***

A motion was made by Mrs. Carroll, seconded by Mrs. Jenkins, to adopt the agenda with the following amendments: amend No 12. to read “Roof Replacement Projects – Funding Sources,” delete No. 20 and renumber accordingly.

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

**PUBLIC COMMENT**

No one from the public wished to comment.

**COMMUNICATIONS**

**Town Clerk’s Office**

Mrs. Toomey reported on the new postal meter and the sale of DEC licenses.

**Town Board**

Mrs. Carroll reported on the Library Board of Trustees and the Comprehensive Plan Update Citizens Advisory Committee.

Mr. Dubois reported on the Planning Board.

Mr. Hagreen reported on the Village of Honeoye Falls Committee regarding the Fire Department, the EV charging station, the former General Motors building, the Zoning Board of Appeals meeting, and recreational splash pads for children.

**Supervisor**

Supervisor Moffitt reported on mortgage tax money received, DEC remediation on Rolling Plains, Village meetings regarding the ambulance contract, speed sign on Ontario Street, the Village using the Town Hall, Court resuming, Bruce Fullerton being called back to work, Mendon Renewables regarding PILOT, HF-L and credit cards for school tax payment, the Supervisor’s yearly salary survey, and some testing of internet in the Community Center.

**SUPERVISOR’S MONTHLY REPORT**

***(Resolution 20-146)***

A motion was made by Mr. Hagreen, seconded by Mr. Dubois, to acknowledge receipt of the Supervisor’s Monthly Report for June 2020.

The Board discussed the reports.

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

#### **TOWN CLERK'S MONTHLY REPORT**

##### ***(Resolution 20-147)***

A motion was made by Mrs. Carroll, seconded by Mrs. Jenkins, to acknowledge receipt of the Town Clerk's Monthly Report for June 2020, showing receipts and disbursements in the amount of \$11,027.80.

The Board discussed burn permits.

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

#### **MINUTES**

##### ***(Resolution 20-148)***

A motion was made by Mr. Dubois, seconded by Mrs. Jenkins, to approve the minutes of the regular meetings held on May 11, 2020 and June 8, 2020 as presented.

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

#### **VOUCHERS**

##### **General Abstract**

##### ***(Resolution 20-149)***

A motion was made by Mr. Hagreen, seconded by Mrs. Carroll, to approve all claims on vouchers numbered 20-363 to 20-454, on General Abstract 20-07, in the amount of \$271,043.18.

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

##### **Library Abstract**

Library vouchers numbered 20-082 to 20-093, on Library Abstract 20-07, in the amount of \$5,663.85, were presented to the Town Board for payment.

#### **PUBLIC HEARING – PROPOSED LOCAL LAW – AMEND CHAPTER 5 “DEFINITIONS AND WORD USAGE,” OF THE TOWN CODE**

*Supervisor Moffitt opened the public hearing at 7:25PM.*

The public hearing was held for the purpose of considering a proposed local law to amend Chapter 5 “Definitions and Word Usage,” of the Town Code by adding a definition for “Abutting Property Owner.”

Supervisor Moffitt read the proposed local law.

##### **Public Comment**

No one from the public wished to comment.

##### ***(Resolution 20-150)***

A motion was made by Mr. Hagreen, seconded by Mr. Dubois, to close the public hearing at 7:26PM.

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

**LOCAL LAW 01-2020 – AMEND CHAPTER 5 “DEFINITIONS AND WORD USAGE,” OF THE TOWN CODE*****(Resolution 20-151)***

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

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

1. Section 5-4 of the Town Code is amended to add the following definition:

**ABUTTING PROPERTY OWNER**

An owner of property which shares a common boundary with the subject property, including property on the opposite side of the roadway from the subject property, whether or not the boundary line goes to the center of the roadway.

2. This Local Law shall take effect immediately upon filing with the Secretary of State.

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

**ROOF REPLACEMENT PROJECTS – COMMUNITY CENTER AND HIGHWAY DEPARTMENT – AWARD BID*****(Resolution 20-152)***

A motion was made by Mr. Dubois, seconded by Mrs. Carroll, to award the bid for the Highway Department and Community Center Roof Replacement Project to RMG Custom Metal, LLC for a cost not to exceed \$345,500.00.

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

**ROOF REPLACEMENT PROJECTS – FUNDING SOURCES*****(Resolution 20-153)***

A motion was made by Mrs. Carroll, seconded by Mr. Dubois, to identify the following funding sources for the Roof Replacement Projects: Community Center, \$55,000.00, A1620.412; Highway Building, \$233,500.00, A Capital Reserves-Building; Highway Lean-To, \$74,000.00, DB Capital Reserves-Building (the total of \$362,500.00 includes soft costs for LaBella).

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

**HIGHWAY DEPARTMENT – MOWER PURCHASE – AUTHORIZATION*****(Resolution 20-154)***

A motion was made by Mr. Hagreen, seconded by Mr. Dubois, to purchase an Exmark Metro Gear Drive mower from Brodner Equipment, Inc. for an amount not to exceed \$3,379.00.

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

**HIGHWAY DEPARTMENT – BRUSH DISPOSITION CONTRACT – ZOLANDZ*****(Resolution 20-155)***

A motion was made by Mrs. Carroll, seconded by Mr. Dubois, to authorize the Highway Superintendent to enter into a three-year contract with Zoldaz Construction Co., Inc., 13600 Railroad Street, Alden, NY 14004, for the purpose of brush grinding and removal, at a cost of \$9,000.00 “per time.”

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

**BRUSH GRINDING – INTERMUNICIPAL AGREEMENT WITH VILLAGE OF HONEOYE FALLS*****(Resolution 20-156)***

A motion was made by Mr. Hagreen, seconded by Mrs. Jenkins, to authorize the Supervisor to enter into an intermunicipal agreement with the Village of Honeoye Falls for the purpose of sharing brush grinding services, agreement to expire December 31, 2022.

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

**HIGHWAY DEPARTMENT – CONTRACT FOR UNIFORM SERVICES FOR EMPLOYEES  
(Resolution 20-157)**

A motion was made by Mr. Hagreen, seconded by Mrs. Carroll, to authorize the Highway Superintendent to enter into a customer service agreement with UniFirst Corp. for the purpose of providing uniform services at the Highway Department as described. UniFirst Corp. has the current state bid.

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

**USE OF ATHLETIC FIELDS – REFUNDS DUE TO COVID-19 PANDEMIC  
(Resolution 20-158)**

A motion was made by Mr. Hagreen, seconded by Mr. Dubois, to refund the following amounts to organizations whose scheduled use of the athletic fields have been disrupted by the COVID-19 Pandemic:

Blaze Soccer - \$400.00

DLM Softball League - \$50.00

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

**PUBLIC COMMENT**

No one from the public wished to speak.

**EXECUTIVE SESSION – PENDING ASSESSMENT LITIGATION  
(Resolution 20-159)**

A motion was made by Mrs. Carroll, seconded by Mr. Dubois, to enter into executive session for the purpose of discussing pending assessment litigation at 7:41PM.

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

**(Resolution 20-160)**

A motion was made by Mr. Hagreen, seconded by Mrs. Jenkins, to exit executive at 7:48PM.

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

*Supervisor Moffitt recused himself due to a business relationship with the petitioner. He left the room.*

**ASSESSMENT SETTLEMENT  
(Resolution 20-161)**

A motion was made by Mrs. Jenkins, seconded by Mr. Hagreen, to authorize the Town Attorney to settle the Tax Certiorari Proceeding brought by Pinebrooke Falls, LLC concerning property at Pine Trail, tax account number 228.15-1-35.11 as follows:

The Article 7 Action shall be discontinued;

The assessment for 2020 shall be revised to \$3,675,300;

The assessment for 2021 may be increased to \$6,608,000 for a period of three (3) years;

And other items contained in the Stipulation and Consent Order, Index No. E2020004610, Judge Gail A. Donofrio.

Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mr. Hagreen, Aye; Mrs. Jenkins, Aye.

**ADJOURNMENT  
(Resolution 20-162)**

A motion was made by Mr. Hagreen, seconded by Mr. Dubois, to adjourn the meeting at 7:50PM.

Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mr. Hagreen, Aye; Mrs. Jenkins, Aye.

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Town Clerk