

A regular meeting of the Mendon Town Board was held at 7:00PM, Monday, September 16, 2019, 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*, Michelle Booth, *Building/Assessment Clerk*, Brent Rosiek, *Planning Board Chair*, and seven other people.

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

**AGENDA**

**(Resolution 19-205)**

A motion was made by Mr. Hagreen, seconded by Mrs. Carroll, to adopt the agenda with the following amendments: delete “No 8. Minutes” and “No 19. Ambulance Building – Final Payment and Billing,” and renumber accordingly.

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

**PUBLIC COMMENT**

Kris Matteson, 864 Pittsford Mendon Road, commented on Mendon Green.

**COMMUNICATIONS**

**Town Clerk**

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

**Town Board**

Mr. Roberts reported on Worker’s Comp insurance and Holiday Decorations.

Mrs. Carroll reported on the Library Board of Trustees and the tennis courts at the HF-L High School.

Mr. Dubois reported on the Environmental Conservation Board and the Youth Center.

**Supervisor**

Supervisor Moffitt reported on the Town Hall window cleaning; ambulance facility lighting; solar farm; an audit/claims webinar; Monroe County Shared Services; the thermostat at the library building; water at the Youth Center; exterior lighting at the Youth Center; Comptroller training; applications received for the part-time Highway Clerk position; Zoning Board of Appeals membership; a budget letter from the Library Board of Trustees; Daniel Bassette’s assistance at the Highway Department with computers.

**SUPERVISOR’S MONTHLY REPORT**

**(Resolution 19-206)**

A motion was made by Mrs. Carroll, seconded by Mr. Roberts, to acknowledge receipt of the Supervisor’s Monthly Report for August 2019.

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

**TOWN CLERK'S MONTHLY REPORT*****(Resolution 19-207)***

A motion was made by Mr. Roberts, seconded by Mr. Dubois, to acknowledge receipt of the Town Clerk's Monthly Report for August 2019, showing receipts and disbursements in the amount of \$8,843.00.

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

**BUDGET ADJUSTMENTS/TRANSFERS/RESERVE FUNDS*****(Resolution 19-208)***

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

From A5010.45	Highway Service Contracts	\$300.00
To A5010.43	Highway Cleaning Supplies	\$300.00
From A5010.45	Highway Service Contracts	\$250.00
To A5010.47	Highway Advertising	\$250.00
From A8510.1	Comm. Beautification Pers	\$900.00
To A8810.4	Cemeteries	\$900.00
From B9060.8	Medical	\$838.12
To B9040.8	Workers' Comp	\$838.12

In the B fund, increase Appropriated Reserves by \$40,500 for the Ambulance and increase the expenditure on line B4540.41R by \$40,500.

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

**VOUCHERS****General Abstract*****(Resolution 19-209)***

A motion was made by Mr. Hagreen, seconded by Mrs. Carroll, to approve all claims on vouchers numbered 19-432 to 19-511, on General Abstract 19-09, in the amount of \$245,780.14.

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

**Library Abstract**

Library vouchers numbered 19-105 to 19-115, on Library Abstract 19-09A, in the amount of \$6,231.86, were presented to the Town Board for payment.

Library vouchers numbered 19-116 to 19-119, on Library Abstract 19-09B, in the amount of \$1,672.07, were presented to the Town Board for payment.

**2020 TENTATIVE TOWN BUDGET – PRESENTATION**

Supervisor Moffitt stated that the Town of Mendon 2020 Tentative Budget had been presented to the Town Clerk today. He then reviewed its content.

**2020-2025 CAPITAL IMPROVEMENT PROGRAM – ESTABLISH PUBLIC HEARING*****(Resolution 19-210)***

A motion was made by Mr. Roberts, seconded by Mrs. Carroll, to hold a public hearing to consider the 2020-2025 Capital Improvement Program, 7:00PM, or as soon thereafter as said hearing can be convened, Monday, October 21, 2019, 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.

**EXECUTIVE SESSION – PERSONNEL MATTER*****(Resolution 19-211)***

A motion was made by Mrs. Carroll, seconded by Mr. Hagreen, to enter into an executive session to discuss a personnel matter at 7:31PM.

*Mr. Roberts recused himself and left the Board Room.*

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

***(Resolution 19-212)***

A motion was made by Mr. Dubois, seconded by Mrs. Carroll, to exit executive session at 7:45PM.

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

*Mr. Roberts rejoined the Board.*

**AGENDA**

***(Resolution 19-213)***

A motion was made by Mr. Dubois, seconded by Mrs. Carroll, to amend the agenda by deleting "14. Highway Superintendent Replacement and Compensation," and renumbering accordingly.

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

**MENDON YOUTH CENTER – HIRE RECREATION DIRECTOR AND ESTABLISH SALARY**

***(Resolution 19-214)***

A motion was made by Mr. Dubois, seconded by Mr. Roberts, to hire Jennifer M. Carbonel as Part-time Recreation Director, term to expire December 31, 2019. Salary for the balance of the year to be \$3,500.00.

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

**MENDON GREEN SETTLEMENT OFFER – DISCUSSION**

Supervisor Moffitt explained that the Town had received a letter from Riedman Acquisitions, LLC, regarding their proposed development on Pittsford Mendon Road known as Mendon Green, containing a list of actions they want the Town Board to complete to move their project ahead. He asked the Board for any comments.

Mr. Hagreen stated that Judge Odorisi's decision was strongly against the Town. A lot of money has been spent already on this lawsuit. He stated that he has driven the entire Town border and understands why people would want to protect the Town from development. But the population is aging out. New blood is needed. And there is a powerful need for property that residents can downsize to and stay in Mendon. This builder is very high quality and has high standards. There would be great economic growth for the Hamlet - planned and reasonable growth. The Town would receive \$60,000 in revenue from the project, just for plowing the road and picking up brush. Seventy percent of the project is open space and sewers are cost effective. There could be some fringe development as a result. A neighboring village fought a development and spent \$250,000. They should be ashamed of themselves. He is not interested in wasting tax dollars. Their offer has taken away nine homes, two at the entrance. This is going to affect Mendon in a good way.

Mrs. Carroll stated that when this project came to the Board, she toured some homes built by the developer. They were of high craftsmanship. She had concerns about traffic and sewers. She voted against it based on the information she had gotten at meetings. Then the developer sued the Town. She is not willing to spend money on something we may lose. She now looks forward to seeing the project go forward. She still has some concerns but is trying to look at it in a positive way. She is not for spending taxpayer money fighting the project.

Mr. Dubois stated that this Board has not voted for or against the project. The vote was concerning a sewer agreement with the Town of Pittsford. He did not think that was in the best interest of the Town. He thinks the Town was sued for a principle stand. The Judge decided otherwise. There is a need for patio homes in the Town, but sewers are not needed for that. The development behind Mendon Meadows Marketplace proves that. If the Town Board approves sewers now, it will be harder to say "no" in the future. He stated that he will give their correspondence due consideration.

Mr. Roberts stated that Mr. Hagreen and Mrs. Carroll said it fine. The local economy affects the Town budget. A ten-wheeler costs \$225,000. Ten years ago it cost \$160,000. The Town Board can not maintain 0% tax increases without more revenue. Also, this is the best geographic location in the Town for this project.

Supervisor Moffitt handed out a map out that shows that corner of Town and the adjoining part of the Town of Pittsford. The Pittsford area is highly developed, the Mendon area is not. He stated that the Town has put a lot of time and money into the Comprehensive Plan Update and thinks it should be seen through. He started looking at this project with an open mind. There are some SEQRA concerns and some missteps with that process. He thinks this project changes the landscape of the Town of Mendon. He does not agree with Riedman's wanting the Town to "not oppose" their request for Fire Code waivers. He feels the Town is being held hostage for the cost of attorney's fees. He stated that he will never sign an agreement related to this project, even if required by law. He can be sued. Developers are in business to make money and he does not have a problem with that, but he is not going to sign. He has principles and he is sticking to them. This is not personal; everyone needs to do what they need to do. He is standing up for what he believes in.

Mr. Dubois added about keeping the budget at a zero percent increase – he has talked to his neighbors and no one thinks this project is a good idea.

Mr. Hagreen stated that there were sewers in the Village of Honeoye Falls and they have not spread out. Mr. Dubois answered that people in the Village live close and like the sewers. Mr. Roberts added that the Village sewers can't handle added capacity. Mr. Hagreen feels the opposition is mainly a "not in my backyard" attitude. Mr. Dubois said Pittsford has to do what is right for them and we need to do what's right for Mendon. He further feels that this would greatly restrict the actions of future Town Boards. Mr. Roberts added that we are not "selling to the devil." He asked the Board members to consider the location and proximity to sewers when considering this project.

#### **DONATIONS ACCEPTANCE**

##### ***(Resolution 19-215)***

A motion was made by Mr. Roberts, seconded by Mrs. Carroll, to accept the donations of used furniture for the Mendon Youth Center from Cindy Barben and Deborah Tschiderer.

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

#### **LIBRARY – BRICK GARDEN WORK APPROVAL**

##### ***(Resolution 19-216)***

A motion was made by Mr. Hagreen, seconded by Mr. Dubois, to approve the work being done at the library building in the Brick Garden by Benson Enterprises, contingent on the receipt of an insurance ACORD for listing the Town as additionally insured. This work is being paid for by the Friends of the Mendon Public Library.

Supervisor Moffitt informed the Board that the ACORD form had been received.

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

#### **RESERVE FUNDS**

##### ***(Resolution 19-217)***

A motion was made by Mr. Dubois, seconded by Mr. Roberts, to approve the following reserve fund actions:

A Fund: Transfer \$25,000 from 15 Monroe Street Reserves to Operating Account,  
subject to permissive referendum.

Transfer \$5,000 from 22 N. Main Street Reserves to Operating Account,  
subject to permissive referendum.

B Fund: Transfer \$70,500 from Ambulance Reserves to Operating Account,  
subject to permissive referendum.

Developers Recreation Fee Account (CNB) - transfer \$25,900 to A, operating account. No permissive referendum needed.

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

**COMPREHENSIVE PLAN UPDATE CITIZEN ADVISORY COMMITTEE – ESTABLISH MEETING DATES**

*(Resolution 19-218)*

A motion was made by Mrs. Carroll, seconded by Mr. Roberts, to establish the following meeting dates for the Comprehensive Plan Update Citizen Advisory Committee: 6:00PM, Tuesday, October 29, 2019; 7:00PM, Tuesday November 19, 2019; and 6:00PM, Tuesday December 10, 2019. All meetings to be held at the Town of Mendon Falls Post #664 Community Center, 167 North Main Street, Honeoye Falls, NY.

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

**ROOF REPLACEMENT PROJECTS – COMMUNITY CENTER AND HIGHWAY DEPARTMENT – CONTRACT WITH LABELLA**

*(Resolution 19-219)*

A motion was made by Mr. Roberts, seconded by Mr. Dubois, to enter into an agreement with LaBella for roof replacement design, bidding and construction administration for the Community Center and structures at the Highway Department. Total contract not to exceed \$17,000.00, to be paid from accounts: A1620.412, \$6,000.00; and A5132.3, \$11,000.00.

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

**MARRIAGE LICENSE FEE – WAIVER OF TOWN PORTION FOR ACTIVE DUTY MILITARY**

*(Resolution 19-220)*

A motion was made by Mr. Roberts, seconded by Mrs. Carroll, to waive the Town portion of the Marriage License fee (\$17.50) for Active Duty Military Personnel. Proof of Active Service will be required at time of purchase. The State just enacted legislation to waive their fee (\$22.50).

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

**PUBLIC COMMENT**

Terrance Kessler, 1025 Pittsford Mendon Road, commented on Mendon Green and the Comprehensive Plan.

Ms. Matteson commented on Mendon Green.

**ADJOURNMENT**

*(Resolution 19-221)*

A motion was made by Mr. Hagreen, seconded by Mr. Dubois, to adjourn the meeting at 8:24PM.

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

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Town Clerk