

A Regular Meeting of the Mendon Town Board was held at 7:00PM, Monday, June 8, 2015, at the Mendon Town Hall, 16 West Main Street, Honeoye Falls, NY.

PRESENT: John D. Moffitt, *Supervisor*
 Cynthia M. Carroll }
 Wayne H. Menz } *Town Board*
 Michael E. Roberts } *Members*
 John E. Rooney }

ABSENT: None

TOWN CLERK: James P. Merzke

OTHERS PRESENT: William E. Smith, *Highway Superintendent*, Sheldon W. Boyce, Jr., *Town Attorney*, James A. LeGrett, *Assessor*, Gary Loope, *Highway Clerk*, Bruce Peckham, *Library Board of Trustees President*, Brent Rosiek, *Planning Board Chair*, Earl P. DeRue, *Planning Board*, and one other person.

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

AGENDA
(Resolution 15-154)

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

PUBLIC COMMENT

Bruce Peckham, 45 North Main Street, spoke in favor of the Zoning Board appointment of Daniel Bassette.

COMMUNICATIONS

Town Clerk

Mr. Merzke reported on his submission of his Final Report of Tax Collections.

Highway Superintendent

Mr. Smith distributed and read his report.

Town Board

Mr. Menz reported on the American Legion.

Mrs. Carroll reported on the Library Board of Trustees.

Supervisor

Supervisor Moffitt reported on the receipt of sales tax revenue, the Town’s Equalization rate; the extension of water to the flower bed at the Community Center; a project to light the falls from the Town Hall; the Hamlet sidewalks; the status of Water District extension 5; a proposed local law regarding EPODs sent to the Historic Preservation Commission for review; and inspections due at the Library building.

SUPERVISOR’S MONTHLY REPORT

(Resolution 15-155)

A motion was made by Mr. Rooney, seconded by Mr. Roberts, to acknowledge receipt of the Supervisor’s Monthly Report for May 2015.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

TOWN CLERK’S MONTHLY REPORT

(Resolution 15-156)

A motion was made by Mr. Menz, seconded by Mr. Roberts, to acknowledge receipt of the Town Clerk’s Monthly Report for May 2015, showing receipts and disbursements in the amount of \$7,094.00.
Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

MINUTES

(Resolution 15-157)

A motion was made by Mrs. Carroll, seconded by Mr. Roberts, to approve the minutes of the regular meeting held on May 11, 2015, as presented.
Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

VOUCHERS

General Abstract

(Resolution 15-158)

A motion was made by Mr. Menz, seconded by Mr. Rooney, to approve all claims on vouchers numbered 15-240 to 15-290, on General Abstract 15-06, in the amount of \$118,011.77.
Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

Highway Abstract

(Resolution 15-159)

A motion was made by Mr. Menz, seconded by Mrs. Carroll, to approve all claims on vouchers numbered 15-123 to 15-151, on Highway Abstract 15-06, in the amount of \$20,557.21.
Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

Library Abstract

Vouchers numbered 15-084 to 15-103, on Library Abstract 15-06, in the amount of \$5,388.62, were presented to the Town Board for payment, already having been approved by the Library Board of Trustees.

A Public Hearing of the Mendon Town Board was held at 7:09PM, Monday, June 8, 2015, at the Mendon Town Hall, 16 West Main Street, Honeoye Falls, NY.

PRESENT:	John D. Moffitt, <i>Supervisor</i>		
	Cynthia M. Carroll	}	
	Wayne H. Menz	}	<i>Town Board</i>
	Michael E. Roberts	}	<i>Members</i>
	John E. Rooney	}	

ABSENT: None

TOWN CLERK: James P. Merzke

OTHERS PRESENT: William E. Smith, *Highway Superintendent*, Sheldon W. Boyce, Jr., *Town Attorney*, James A. LeGrett, *Assessor*, Gary Loope, *Highway Clerk*, Bruce Peckham, *Library Board of Trustees President*, Brent Rosiek, *Planning Board Chair*, Earl P. DeRue, *Planning Board*, and one other person.

Supervisor Moffitt opened the public hearing at 7:09PM.

PUBLIC COMMENT

Daniel Bassette, 181 Monroe Street, spoke in favor of the proposed legislation.

Earl P. DeRue, 559 Cheese Factory Road, felt the law did not go far enough.

(Resolution 15-160)

A motion was made by Mr. Menz, seconded by Mrs. Carroll, to close the public hearing at 7:12PM.
Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

LOCAL LAW 2015-01 – AMENDMENT TO ZONING CODE – LOT WIDTHS

Mr. Rooney recused himself from this discussion as he owns property that will be directly affected by this proposed local law. He left the Board Room at 7:14PM.

(Resolution 15-161)

A motion was made by Mr. Moffitt, seconded by Mr. Roberts, to adopt the following and declare it a Type II Action under SEQRA:

A Local Law to amend Chapter 86, Definitions and Word Usage, and Chapter 200, Zoning, of the Mendon Town Code in relation to lot widths.

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

I. Section 86-4 of the Town Code is amended as follows:

- a. The paragraphs entitled LOT, FLAG and LOT, FLAG, ACCESS are deleted in their entirety.
- b. The definition of LOT WIDTH is amended to read: The horizontal distance across the lot line between side lot lines as measured at the most narrow point.
- c. The definition of YARD, FRONT is amended by deleting the following: The front yard of a flag lot includes only the interior or buildable portion of the lot and does not include the portion of the lot which provides access to a public street. (See "lot, flag.")

II. Section 200-8 of the Town Code, subdivision D, third sentence, is amended to read: Access is to be owned by fee simple title and be a minimum of 50 contiguous feet wide per lot.

III. Section 200-74 of the Town Code is amended to provide that the minimum lot width at ROW for RA-5 shall be 100, and RA-2 and RA-1 districts shall be 50 feet.

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

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

Mr. Rooney returned to the Board Room at 7:20PM.

EMPLOYEE HANDBOOK – UPDATE***(Resolution 15-162)***

A motion was made by Mr. Menz, seconded by Mr. Roberts, to adopt the 2015 legal updates to the Town of Mendon Employee Handbook recommended by HR Works, Inc.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

TOWN BOARD AUDIT OF FINANCIAL RECORDS***(Resolution 15-163)***

A motion was made by Mr. Menz, seconded by Mr. Rooney, to state for the record that Town Board Members Menz and Rooney audited the Town's financial records and found everything to be in order.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

ZONING BOARD OF APPEALS - APPOINTMENT***(Resolution 15-164)***

A motion was made by Mr. Menz, seconded by Mrs. Carroll, to appoint Daniel Bassette to the Zoning Board of Appeals, term to expire December 31, 2017.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

PUBLIC COMMENT

No one from the public wished to speak.

EXECUTIVE SESSION

(Resolution 15-165)

A motion was made by Mrs. Carroll, seconded by Mr. Roberts, to enter into executive session for the purpose of discussing two tax assessment legal cases at 7:22PM.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

Mr. LeGrett was invited into the executive session.

(Resolution 15-166)

A motion was made by Mrs. Carroll, seconded by Mr. Menz, to exit the executive session at 7:49PM.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

ASSESSMENT SETTLEMENTS

(Resolution 15-167)

A motion was made by Mr. Roberts, seconded by Mr. Menz, to authorize the Supervisor to settle the Article 7 cases involving three Conifer properties on terms set forth in the memo from the Assessor dated June 8, 2015.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

(Resolution 15-168)

A motion was made by Mr. Roberts, seconded by Mrs. Carroll, to authorize the Supervisor to settle the Article 7 cases brought by Canandaigua National Bank with the agreed upon assessment of \$565,000 for the tax years 2015, 2016, and 2017.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

ADJOURNMENT

(Resolution 15-169)

A motion was made by Mr. Rooney, seconded by Mr. Roberts, to adjourn the meeting at 7:51PM.

Adopted: Mrs. Carroll, Aye; Mr. Menz, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.