

The regular meeting of the Mendon Town Board was held at 7:00PM, Monday, April 11, 2016, 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

DEPUTY TOWN CLERK: Bonnie M. Toomey

OTHERS PRESENT: William E. Smith, *Highway Superintendent*, Sheldon W. Boyce, Jr., *Town Attorney*, Gary Loope, *Highway Clerk*, Bruce Peckham, *Library Board of Trustees President and Zoning Board of Appeals Member*, Daniel Bassette, *Zoning Board of Appeals Member*, and one other person.

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

AGENDA

(Resolution 16-107)

A motion was made by Mr. Dubois, seconded by Mrs. Carroll, 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 comment.

COMMUNICATIONS

Town Clerk

Mrs. Toomey reported on the collection of 2016 Town and County taxes and the upcoming Presidential Primary.

Highway Superintendent

Mr. Smith read and distributed his report.

Town Board

Mr. Roberts reported on an upcoming meeting with State Senator Funke’s office.

Mrs. Carroll reported on the Library Board of Trustees.

Supervisor

Supervisor Moffitt reported on a visit by the State Department of Labor visit to the Town Hall; a potential meeting at the end of the month regarding borrowing; an informal discussion with the architect about Town Hall; a meeting with the school district regarding the Summer Recreation Program; the Meals on Wheels Program; a follow up to the Great Bend Project from the State; and a letter from the County regarding certified payrolls.

SUPERVISOR’S MONTHLY REPORT

(Resolution 16-108)

A motion was made by Mr. Roberts, seconded by Mrs. Carroll, to acknowledge receipt of the Supervisor’s Monthly Report for March 2016.

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

TOWN CLERK’S MONTHLY REPORT

(Resolution 16-109)

A motion was made by Mr. Roberts, seconded by Mr. Hagreen, to acknowledge receipt of the Town Clerk’s Monthly Report for March 2016, showing receipts and disbursements in the amount of \$5,634.51. Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mr. Hagreen, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

MINUTES

(Resolution 16-110)

A motion was made by Mr. Dubois, seconded by Mr. Hagreen, to approve the minutes of the regular meeting held on March 14, 2016, and the special meeting held on March 24, 2016, as presented. Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mr. Hagreen, Aye; Mr. Roberts, Aye; Mr. Moffitt, Aye.

During the discussion of the minutes of March 24th, it was stated that there was now a more accurate figure for the last line of Resolution 16-105.

(Resolution 16-111)

A motion was made by Mr. Dubois, seconded by Mr. Hagreen, to rescind Resolution 16-105, adopted on March 24, 2016, and adopt the following:

WHEREAS, the Town Board intends to pay off the BANs (due 4/29/16) for the construction of the Town of Mendon Library at 22 North Main Street, said payoff amount being \$147,390.35;
BE IT RESOLVED that the Town Board adopts the following Town of Mendon Budget Adjustments:
Increase the A Fund appropriated Fund Balance by \$34,740.00,

In Budget Journal:

	Debit	Credit
A599 Fund Balance	\$34,740.00	
A9901.901 Library Ban		\$34,740.00

And, after receipt of \$20,000.00 from the Library Capital Campaign:

In Budget Journal:

	Debit	Credit
A2705 Other Revenue	\$20,000.00	
A9901.901 Library Ban		\$20,000.00

These adjustments, when added to the \$92,651.00 already budgeted in A9901.901, will satisfy the debt owed to Greene County Commercial Bank.

BE IT FURTHER RESOLVED, that although this will complete the Town’s payment obligations, it does not alleviate the debt of the Friends of the Mendon Public Library/Capital Campaign which at this time, assuming receipt of a currently promised \$20,000.00, is \$115,761.48.

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

VOUCHERS

General Abstract

(Resolution 16-112)

A motion was made by Mr. Roberts, seconded by Mrs. Carroll, to approve all claims on vouchers numbered 16-147 to 16-193, on General Abstract 16-04, in the amount of \$376,793.87.

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

Highway Abstract***(Resolution 16-113)***

A motion was made by Mr. Roberts, seconded by Mr. Dubois, to approve all claims on vouchers numbered 16-081 to 16-104, on Highway Abstract 16-04, in the amount of \$9,875.17.

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

Library Abstract

Vouchers numbered 16-029 to 16-044, on Library Abstract 16-04, in the amount of \$3,643.63, were presented to the Town Board for payment, already having been approved by the Library Board of Trustees.

ANNUAL ACCOUNTING – TOWN BOARD COMMITTEE***(Resolution 16-114)*****Town Financial Records Excluding Court**

A motion was made by Mr. Roberts, seconded by Mr. Dubois, acknowledging that an accounting was done of the Town's financial records with the Finance Director on March 17, 2016, and found everything in order.

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

Justice Court Financial Records***(Resolution 16-115)***

A motion was made by Mr. Hagreen, seconded by Mrs. Carroll, acknowledging that an accounting was done of the Justice Court's financial records with the Court Clerk, Ms. Carroll on March 15, 2016 and Mr. Hagreen on March 11, 2016, and found everything in order.

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

WATER DISTRICT #1, EXTENSION #5**Order Establishing District*****(Resolution 16-116)***

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

WHEREAS, a map, plan and report relating to the establishment of a proposed Town of Mendon, Extension No. 5 of Water District No. 1, prepared by LaBelle Associates, duly licensed civil engineers of the State of New York, in a manner and in such detail as has been determined by this Town Board, has been duly filed with the Town Clerk, in accordance with the requirements of article 12 of the Town Law, and

WHEREAS, an order was duly adopted by this Town Board on November 9, 2015, reciting the filing of said map, plan and report, the improvements proposed, the boundaries of the proposed district, the proposed method of financing, the fact that the map, plan and report describing the same were on file in the Town Clerk's Office for public inspection, and stating all other matters required by law to be stated, and specifying December 14, 2015, as the date, at 7:00PM on said day as the time, at the Mendon Town Hall, 16 W. Main Street, Honeoye Falls, New York as the place where this Town Board would meet and consider said map, plan and report, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law, and

WHEREAS, such order was duly published and posted as required by law, and

WHEREAS, a hearing on said matter was duly held by said Town Board on December 14, 2015, at 7:00PM in the evening on said day, in the Mendon Town Hall, 16 West Main Street, Honeoye Falls, New York, and no person appearing in opposition to the petition.

NOW THEREFORE BE IT RESOLVED AND DETERMINED THAT:

- a. the notice of hearing was published and posted as required by law, and is otherwise sufficient;
- b. the petition is signed, and acknowledged or proposed, or authenticated as required by law and is otherwise sufficient;
- c. all property and property owners within the proposed extension are benefited thereby;

d. all property and property owners benefited are included within the limits of the proposed extension;

e. it is in the public interest to establish said extension.

BE IT FURTHER RESOLVED AND DETERMINED, that the establishment of the proposed extension as set forth in said map, plan and report, be approved; that the improvements herein mentioned be constructed; and such district shall be known and designated as "Town of Mendon Extension No. 5 of Water District No. 1" and shall be bounded and described as set forth in Exhibit A attached hereto and made a part hereof, and

BE IT FURTHER RESOLVED AND DETERMINED, that the Town Clerk be, and hereby is, authorized and directed to file a certificate copy of this Resolution in the Office of the Clerk of the County of Monroe, which is the County in which the said Town of Mendon is located, and in the Office of the State Comptroller, within ten days after the adoption of this Resolution, pursuant to the provision of section 195 of the Town Law, and

FINALLY, BE IT RESOLVED AND DETERMINED, that the Town Supervisor make application to the Comptroller for approval of the Extension.

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

SEQRA

(Resolution 16-117)

A motion was made by Mr. Roberts, seconded by Mrs. Carroll, to accept the SEQRA documents as prepared by the MRB Group dated December 2015, and declare a Negative Dec.

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

TOWN HALL COMPUTERS

(Resolution 16-118)

A motion was made by Mr. Roberts, seconded by Mr. Dubois, for the purchase of two computers for Town Hall, one for Building and Assessment and one for the Finance Director, for an amount not to exceed \$2,000.00.

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

16th ANNUAL TOWN FINANCE SCHOOL – ATTENDANCE

(Resolution 16-119)

A motion was made by Mrs. Carroll, seconded by Mr. Roberts, to authorize the Supervisor and the Finance Director to attend the 16th Annual Town Finance School, on May 5 and May 6, 2016 at the Buffalo Marriott Niagara, at a cost of \$200.00 per person, with a budget adjustment of \$200.00 from A1220.410 to A1310.410.

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

MODIFICATION OF TOWN PROPERTY – GRANT APPLICATIONS – TOWN BOARD APPROVAL

(Resolution 16-120)

A motion was made by Mr. Roberts, seconded by Mr. Dubois, that no person or entity shall modify any town owned property without prior Town Board Approval, nor shall any person or entity apply for any grant for construction or improvement of any facilities on Town property without a resolution by the Town Board approving the grant application which is proposed to be submitted. This resolution shall take effect immediately.

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

HIGHWAY DEPARTMENT – PURCHASE ZERO TURN MOWER***(Resolution 16-121)***

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

WHEREAS, the Highway Department is requesting Board permission to spend the sum of \$8,000.00 for the purchase of a Ferris Zero Turn Mower, and

WHEREAS, the Highway Department has received quotes for Ferris, Zero Turn Mower from the following vendors:

American Equipment LLC.	\$7,890.00
C&B Small Engine Repair	\$7,900.00
Saxby Implement Corp.	\$8,244.00, and

WHEREAS, the Highway Department is recommending the purchase of the mower from C&B Equipment, having experienced very good support from C&B Equipment in the past as far as parts, service, and information and C&B can provide the mower in a timely fashion.

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

HIGHWAY DEPARTMENT – REPLACE EQUIPMENT TRAILER***(Resolution 16-122)***

A motion was made by Mr. Roberts, seconded by Mr. Hagreen, authorizing the Highway Superintendent to go out to bid for an equipment trailer, replacing the current Owens trailer that was scrapped in 2014, per the 2016 Capital Improvement Plan.

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

HIGHWAY DEPARTMENT – DECLARATION OF EXCESS PROPERTY***(Resolution 16-123)***

A motion was made by Mr. Roberts, seconded by Mrs. Carroll, to declare the following as excess property, per the request of the Highway Department. Said items to be sold at the municipal auction in Palmyra on May 14, 2016.

1. Truck #1, 2015, Ford Pickup, app. 20,000 miles
2. Truck #95, 2007, Volvo, with plow and wing, app. 85,000 miles
3. Truck #7, 2009, Ford Ranger Pickup, app. 103,000 miles
4. Progressive Finish Mower, Purchased Used 9-17-08
5. Kerosene Heater, Stone
6. 2 side mounted tool boxes
7. 2 Chevrolet rear step bumpers
8. 2 Ford tailgates
9. 2 Dump box side ladders
10. 2 Portable oil drain cans with funnels
11. Volvo truck radiator
12. 13 pieces of interior fencing
13. 2 Plastic tanks
14. OTC, 20 tone air jack
15. Ferris Zero Turn Mower

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

ATHLETIC FIELDS – REQUEST FOR USE***(Resolution 16-124)***

A motion was made by Mr. Roberts, seconded by Mr. Dubois, to accept the application, proof of insurance and fee from the Honeoye Falls Methodist & Rush Methodist Dave Lochner Memorial Church Softball League, to use the Town's softball fields at 5:45 on Tuesday evenings from May 3, 2016 to August 16, 2016.

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

ENVIRONMENTAL CONSERVATION BOARD – APPOINTMENT***(Resolution 16-125)***

A motion was made by Mr. Dubois, seconded by Mrs. Carroll, to appoint Stephen A. Maxon to the Environmental Conservation Board, term to expire 12/31/17.

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

ZONING BOARD OF APPEALS – VICE CHAIR APPOINTMENT***(Resolution 16-126)***

A motion was made by Mr. Roberts, seconded by Mrs. Carroll, to appoint Daniel Bassette as Vice Chair of the Zoning Board of Appeals, term to expire 12/31/16.

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

AGENDA (cont.)***(Resolution 16-127)***

A motion was made by Mr. Roberts, seconded by Mrs. Carroll, to amend the agenda by adding a new No. 21. “RPS Training – Attendance” and renumber accordingly.

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

RPS TRAINING – ATTENDANCE***(Resolution 16-128)***

A motion was made by Mr. Roberts, seconded by Mr. Hagreen, to approve the attendance of Michelle Booth at the RPS Intro course in Batavia, April 12th-13th.

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

AMBULANCE UPDATE

Supervisor Moffitt updated the Board on the topic to date.

(Resolution 16-129)

A motion was made by Mr. Roberts, seconded by Mrs. Carroll, to authorize the Supervisor, in conjunction with the Mayor of the Village of Honeoye Falls, to establish a Citizens Advisory Committee on Ambulance Service in the Town of Mendon, final format to be approved by the Town Board when determined.

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

PUBLIC COMMENT

Daniel Bassette, 181 Monroe Street, commented on the Ambulance Citizens Advisory Committee.

Bruce Peckham, 45 North Main Street, commented on the Ambulance Citizens Advisory Committee.

Edward G. McClive, Jr., 667 West Bloomfield Road, commented on the Water District and the Ambulance.

Gary Loope, 21 Semmel Road, commented on the Ambulance Citizens Advisory Committee.

EXECUTIVE SESSION – SOUTHCO ASSESSMENT***(Resolution 16-130)***

A motion was made by Mrs. Carroll, seconded by Mr. Dubois, to go into executive session for the purpose of discussing the Southco Assessment at 8:13PM.

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

(Resolution 16-131)

A motion was made by Mrs. Carroll, seconded by Mr. Dubois, to exit executive session at 8:24PM.

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

SOUTHCO ASSESSMENT – SETTLEMENT OFFER

(Resolution 16-132)

A motion was made by Mr. Roberts, seconded by Mr. Hagreen, to authorize the Supervisor to settle the Southco tax litigation for an agreed upon assessed value of \$2.35 million dollars, conditioned upon the petitioner waving tax refunds.

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

ADJOURNMENT

(Resolution 16-133)

A motion was made by Mr. Dubois, seconded by Mrs. Carroll, to adjourn the meeting at 8:25PM.

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