

**A Regular Meeting of the Mendon Town Board was held at 7:00PM, Monday, August 10, 2015, at the Mendon Town Hall, 16 West Main Street, Honeoye Falls, NY.**

**PRESENT:** John D. Moffitt, *Supervisor*  
 Cynthia M. Carroll }  
 Wayne H. Menz (arrived late) } *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*, Gary Loope, *Highway Clerk*, Bruce Peckham, *Library Board of Trustees President*, Daniel Bassette, *Zoning Board of Appeals*, Highway Department Employees Andy Caschetta, Gerry Fox, Robert Keenan, Scott Schlesing, and Chad Whitney, and approximately six other people, including recent retiree Robert G. Sherman, Jr., and his family.

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

**AGENDA**  
**(Resolution 15-179)**

A motion was made by Mr. Moffitt, seconded by Mr. Rooney, to adopt the agenda with the following amendment: add new No. 22. "Town Hall – HVAC Units" and renumber accordingly.  
Adopted: Mrs. Carroll, Aye; Mr. Roberts, Aye; Mr. Rooney, Aye; Mr. Moffitt, Aye.

**PUBLIC COMMENT**

No one from the public wished to comment.

**COMMUNICATIONS**

**Town Clerk**

Mr. Merzke reported on the sale of NYSDEC Conservation Licenses.

**Highway Superintendent**

Mr. Smith distributed and read his report.

**Town Board**

Mr. Rooney reported on the Zoning Board of Appeals.

Mr. Roberts reported on the Planning Board.

Mrs. Carroll reported on the Library Board of Trustees.

**Supervisor**

Supervisor Moffitt reported on meeting regarding the Healing Place at HF-L Schools; an update on a proposed water district; an update on the refurbishment of the Town Hall doors; more apartments coming to Pine Trail in the Village; the conclusion of the Summer Recreation Program; and correspondence from the Henrietta Ambulance.

**SUPERVISOR'S MONTHLY REPORT*****(Resolution 15-180)***

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

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

**TOWN CLERK'S MONTHLY REPORT*****(Resolution 15-181)***

A motion was made by Mr. Roberts, seconded by Mr. Rooney, to acknowledge receipt of the Town Clerk's Monthly Report for July 2015, showing receipts and disbursements in the amount of \$4,274.25.

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

**MINUTES*****(Resolution 15-182)***

A motion was made by Mr. Rooney, seconded by Mr. Roberts, to approve the minutes of the regular meeting held on July 13, 2015, as presented.

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

**BUDGET ADJUSTMENTS*****(Resolution 15-183)***

A motion was made by Mr. Roberts, seconded by Mrs. Carroll, to approve the following Budget

Adjustments:	From: A8810.1 Cemeteries-Personnel	\$100.00
	To: A8810.5 Hamlet Property-Personal Serv.	\$100.00
	From: B2665 Sale of Equipment	\$630.52
	To: B3620.2 Building Inspection-Equipment	\$630.52
	From: B2771 Miscellaneous	\$1,358.00
	To: B7610.404 Seniors-Misc. Trips	\$1,358.00
	From: DA5142.103 Vacation Pay	\$200.00
	To: DA5142.101 Sick Pay	\$200.00
	From: DA5142.103 Vacation Pay	\$287.83
	To: DA5142.104 Personal/Funeral Pay	\$287.83
	From: DA2665 Sale of Equipment	\$33,900.00
	To: DA9950.9 Transfer to H – Equipment	\$33,900.00
	From: DB5141.103 Vacation	\$400.00
	To: DB5141.101 Sick	\$400.00
	From: DA599 Fund Balance	\$23,800.00
	To: DA9950.9 Transfer of H- Equipment	\$23,800.00
	From: DB5142.420 Victor Sweeping	\$500.00
	To: DB5142.401 Town Magic/Salt	\$500.00
	From: DB5148.414 County Plow Equip	\$300.00
	To: DB5148.411 County Salt/Magic	\$300.00
	From: DB5148.414 County Plow Equip	\$150.00
	To: DB5148.412 State Salt/Magic	\$150.00

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

**VOUCHERS****General Abstract*****(Resolution 15-184)***

A motion was made by Mr. Rooney, seconded by Mrs. Carroll, to approve all claims on vouchers numbered 15-351 to 15-391, on General Abstract 15-08, in the amount of \$55,458.56.

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

**Highway Abstract*****(Resolution 15-185)***

A motion was made by Mr. Rooney, seconded by Mr. Roberts, to approve all claims on vouchers numbered 15-181 to 15-208, on Highway Abstract 15-08, in the amount of \$104,047.47.

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

**Library Abstract**

Vouchers numbered 15-115 to 15-130, on Library Abstract 15-08, in the amount of \$4,277.83, were presented to the Town Board for payment, already having been approved by the Library Board of Trustees.

**RESOLUTION OF HONOR – ROBERT G. SHERMAN, JR.*****(Resolution 15-186)***

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

WHEREAS, Robert G. Sherman, Jr., began working for the Town of Mendon Highway Department on April 15, 1982, as an equipment operator, and

WHEREAS, “Junior” progressed to a heavy equipment operator and performed that function for many years, and

WHEREAS, through the years Junior attended several training courses through the Cornell Local Roads Program, being recognized as a Level I Road Master, and

WHEREAS, Junior retired from the Town of Mendon on April 30, 2015, and

WHEREAS, retirement will allow Junior to enjoy his passions of bowling, softball, the New York Yankees, travelling with his wife Mary Beth, while also giving him some much deserved relief from Mendon winters.

NOW, THEREFORE, BE IT RESOLVED, that, on behalf of the residents of the Town of Mendon, the Town Board sincerely thanks Junior for his many years of dedicated service, and wishes he and Mary Beth well in any and all future endeavors.

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

**KIWANIS INTERNATIONAL – PRESENTATION**

David H. Jacobus, New York District, Zone 2 Chairman, Kiwanis International, and Josh Hill, Circle K Group, Lt. Governor, Kiwanis International, presented the Board with information on their organization. They are attempting to form a local affiliate.

*Mr. Menz arrived at 7:14PM.*

**AMBULANCE UPDATE - DISCUSSION**

Supervisor Moffitt informed the Board that he and the Village were looking at dates to meet, and he was still waiting for the information requested concerning calls to Lima.

**BUDGET TRANSFER – SIDEWALK IMPROVEMENT RESERVE FUND*****(Resolution 15-187)***

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

As per the 2015 Budget, transfer \$45,000 from the B Fund Reserves at 5-Star Bank, Sidewalk Improvements, to the B Fund account at M&T Bank. This resolution is subject to permissive referendum.

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

**HIGHWAY EQUIPMENT – BAN****BOND RESOLUTION - PURCHASE OF ROLLER, PICK-UP AND 6-WHEEL DUMP TRUCK****A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF SERIAL BONDS FOR THE PURCHASE OF HIGHWAY EQUIPMENT*****(Resolution 15-188)***

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

WHEREAS, this Board, by resolution, has authorized the advertising for and the purchase of a roller, pick-up truck and 6-wheel dump truck (the "Items"); and

WHEREAS, bids for said Items have been accepted by the Board:

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Mendon, Monroe County, New York, as follows:

Section 1. For the object of purchasing said equipment and , and to provide funds to defray the cost thereof, (\$125,000.00) of General Obligation Serial Bonds of the Town of Mendon, New York, shall be issued pursuant to the provisions of Local Finance Law.

Section 2. \$125,000.00 is estimated as the maximum cost of said equipment.

Section 3. The plan for financing of the purchase of said equipment consists of the issuance of General Obligation Serial Bonds of the Town of Mendon in the principal sum of \$125,000.00, to be issued pursuant to the Local Finance Law.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid property is 5 years, pursuant to Subdivision 29 of paragraph a of section 11.00 of the Local Finance Law. It is further determined that the maximum maturity of the Serial Bonds herein authorized will not exceed 5 years.

Section 5. The faith and credit of said Town of Mendon, Monroe County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town of Mendon a tax sufficient to pay the principal of the interest on such bonds as the same become due and payable.

Section 6. Subject to the provisions of the Local Finance Law, the Power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Serial Bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, forms and contents, and shall be sold in such manner as may be prescribed by said Supervisor, consistent with the provisions of said Local Finance Law.

Section 7. The validity of such bonds may be contested only if:

(1) Such bonds are authorized for an object or purpose for which said Town is not authorized to expend money, or

(2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting the validity is commenced within twenty days after the date of publication, or

(3) Such bonds are authorized in violation of the provisions of the Constitution.

Section 8. This resolution is subject to permissive referendum

Section 9. This resolution shall take effect immediately.

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

**CHAPTER 156 – PEDDLING AND SOLICITING**

Mr. Merzke brought concerns to the Board about the effectiveness of the Town's current legislation regarding peddling and soliciting in light of recent events with "rogue" companies operating in the area. He has spoken with Supervisor Moffitt and Mr. Boyce and they believed it would be beneficial for a small group to look at the chapter in the Code and recommend updates to the Board. A major area of concern is there is no current mechanism to perform background checks on the applicants. Mr. Roberts volunteered to work with Mr. Merzke and Mr. Boyce on this. They will report back to the Board.

**STANDARD WORK DAY AND REPORTING RESOLUTION*****(Resolution 15-189)***

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

WHEREAS, the Town of Mendon, pursuant to Regulation 315.4, is required to establish by resolution, a standard work day for each elective or appointive office or position for reporting purposed to the New York State and Local Retirement System, and

WHEREAS, such resolution shall indicate the number of hours prescribed as a standard work day for each such elective or appointed office or position, and the expiration of the term for each such office or position, NOW, THEREFORE, BE IT RESOLVED, that the standard workdays for elected and appointed officials for the purpose of reporting days worked to New York State Retirement System are as listed on the Town of Mendon's updated New York State and Local Retirement System form RS 2417-A, dated August 10, 2015.

BE IT FURTHER RESOLVED, that the Town of Mendon will maintain an actual daily record of time worked for the elected or appointed official or that the official holding the office will record and submit to the clerk his or her work activities for a period of three consecutive months, and

FINALLY, BE IT RESOLVED, that for each elected and appointed official who has submitted a record of work activities pursuant to paragraph (i) of subdivision (a) of section 315.4, the total number of days per month to be reported will be based upon such record of work activities.

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

**MAINTENANCE PERSONNEL – APPOINTMENT*****(Resolution 15-190)***

A motion was made by Mr. Menz, seconded by Mr. Roberts, to appoint Tammy Voorhees to clean Town Hall (\$100/cleaning) and open and close and clean Community Center (\$12.00/hour). This appointment will expire December 31, 2015.

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

**MEETINGS RECORDER – APPOINTMENT*****(Resolution 15-191)***

A motion was made by Mrs. Carroll, seconded by Mr. Roberts, to appoint Michelle Booth to the position of Meetings Recorder for the Planning Board and Zoning Board of Appeals at an hourly rate of \$11.00, term to expire December 31, 2015.

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

**AMERICAN LEGION PICNIC – COMMUNITY CENTER USE AUTHORIZATION*****(Resolution 15-192)***

A motion was made by Mr. Roberts, seconded by Mr. Rooney, to allow the American Legion Falls Post #664 to have alcoholic beverages at its annual picnic held at the Falls Post #664 Town of Mendon Community Center, on Thursday, August 13, 2015.

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

**HIGHWAY DEPARTMENT – TREE & LIMB REMOVAL CONTRACT –  
BIRCHCREST TREE & LANDSCAPE*****(Resolution 15-193)***

A motion was made by Mr. Menz, seconded by Mrs. Carroll, to authorize the Highway Superintendent to enter into an agreement with Birchcrest Tree and Landscape for the removal of trees and limbs on Town of Mendon roads, at a cost not to exceed \$10,000.00. This company is the current contract holder through Monroe County Procurement.

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

**TOWN HALL – HVAC UNITS**

Supervisor Moffitt explained that one of the HVAC units in the Town Hall had failed and another was close. He stated that he had been budgeting for this eventuality.

08/10/15

TOWN OF MENDON

REGULAR MEETING

***(Resolution – 194)***

A motion was made by Mr. Roberts, seconded by Mrs. Carroll, to authorize the Supervisor to have two HVAC units replaced at the Town Hall, at a cost not to exceed \$15,000.00.

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.

**ADJOURNMENT**

***(Resolution 15-195)***

A motion was made by Mr. Menz, seconded by Mr. Rooney, to adjourn the meeting at 7:37PM.

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