

The regular meeting of the Mendon Town Board was held at 7:00PM, Monday, April 12, 2021, 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>via ZOOM</i> )	}	<i>Members</i>
	Karen R. Jenkins	}	

**ABSENT:** None

**TOWN CLERK:** James P. Merzke, *Town Clerk*

**OTHERS PRESENT:** Sheldon W. Boyce, Jr. *Town Attorney*, Andrew Caschetta, *Highway Superintendent*, Kelli Parmelee, *Finance Director*, Danny Bassette, *Zoning Board Chair*, and Brent Rosiek, *Planning Board Chair*.

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

**AGENDA**  
**(Resolution 21-108)**

A motion was made by Mr. Dubois, seconded by Mrs. Carroll, to adopt the agenda with the following amendment: add new No. 21 “Board of Assessment Review,” 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**

Mr. Merzke reported on minute preparation and tax collection.

**Town Board**

Mrs. Jenkins reported on her research related to recycling.

Mrs. Carroll reported on the Library Board of Trustees; waste disposal research; the Military Memorial Committee; planters on the bridges in the Hamlet; sidewalk and pothole issues in the Hamlet; and the splash park idea.

Mr. Dubois reported on the Planning Board; and “employee spotlights” on the Town’s Facebook page.

Mr. Hagreen reported on the splash park idea.

**Supervisor**

Supervisor Moffitt reported on a meeting related to the splash park idea; calls he received concerning a conservation restriction on Bulls Sawmill Road; the replacement of roof stacks on buildings at the Highway Department; receipt of the grant check related to the EV charging stations; receipt of a check from Entrée Computers as a refund for services not rendered; the Council of Governments; a meeting with Congressman Chris Jacobs in Wheatland; information concerning the “American Rescue Plan”; a County traffic study for Sibley Road this summer; a drainage issue off NYS Route 251 east of the Hamlet that Mr. Caschetta is addressing; and HVAC proposals he has received.

**SUPERVISOR'S MONTHLY REPORT*****(Resolution 21-109)***

A motion was made by Mrs. Carroll, seconded by Mr. Dubois, to acknowledge receipt of the Supervisor's Monthly Report for March 2021.

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

**TOWN CLERK'S MONTHLY REPORT*****(Resolution 21-110)***

A motion was made by Mr. Dubois, seconded by Mrs. Jenkins, to acknowledge receipt of the Town Clerk's Monthly Report for March 2021, showing receipts and disbursements in the amount of \$8,577.20.

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

**MINUTES*****(Resolution 21-111)***

A motion was made by Mrs. Jenkins, seconded by Mrs. Carroll, to approve the minutes of the regular Town Board Meeting held February 8, 2021 as presented

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

**BUDGET TRANSERS/AJUSTMENTS*****(Resolution 21-112)***

A motion was made by Mrs. Carroll, seconded by Mrs. Jenkins, to approve the following budget

adjustments:	From:	A1620.411	Town Hall improvements	\$10,000.00
	To:	A1620.100	Town Hall Equipment	\$10,000.00

	From:	A1990.470	Contingent Account	\$6,000.00
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	To:	A1910.410	Unallocated Insurance	\$6,000.00
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Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mr. Hagreen, Aye; Mrs. Jenkins, Aye; Mr. Moffitt, Aye.

**VOUCHERS****General Abstract*****(Resolution 21-113)***

A motion was made by Mrs. Jenkins, seconded by Mr. Dubois, to approve all claims on vouchers numbered 21-187 to 21-274, on General Abstract 21-04, in the amount of \$28,029.28.

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

**Library Abstract**

Library vouchers numbered 21-033 to 21-048, on Library Abstract 21-04, in the amount of \$3,844.97, were presented to the Town Board for payment.

**PUBLIC HEARING – CABLE TELEVISION AGREEMENT**

*Supervisor Moffitt opened the public hearing at 7:20PM.*

The public hearing was held to consider the renewing the Franchise Agreement the Town of Mendon and Spectrum Northeast, LLC, an indirect subsidiary of CHARTER COMMUNICATIONS, INC., which grants a nonexclusive Franchise which authorizes the Grantee to erect, construct, extend, operate and maintain in, upon, along, across, above, over and under the Streets, now in existence and as may be created or established during its terms, all Equipment, including the Cable System. Nothing in this Franchise shall be construed to prohibit the Grantee from offering any service over its Cable System that is not prohibited by federal or State law. The Franchise and the rights, privileges and authority hereby granted shall be for an initial term of fifteen (15) years, commencing on the effective date of approval by the NYPSC.

Supervisor Moffitt explained this was for cable television, not internet.

**Public Comment**

Supervisor Moffitt stated that he had received a phone call from a Mr. Sacchitella complaining about his service and the unresponsiveness of the company.

The Board discussed what exactly this agreement amounted to. Mr. Boyce explained that it was a non-exclusive agreement that allows the company to provide cable television service in the Town of Mendon for which the Town receives a 5% franchise fee.

***(Resolution 21-114)***

A motion was made by Mrs. Carroll, seconded by Mr. Dubois, to close the public hearing at 7:25PM. Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mr. Hagreen, Aye; Mrs. Jenkins, Aye; Mr. Moffitt, Aye.

**CABLE TELEVISION AGREEMENT*****(Resolution 21-115)***

A motion was made by Mr. Dubois, seconded by Mrs. Jenkins, to adopt the following: This Franchise Agreement ("Franchise") is between the Town of Mendon, New York, hereinafter referred to as the "Grantor" and Spectrum Northeast, LLC, an indirect subsidiary of CHARTER COMMUNICATIONS, INC., hereinafter referred to as the "Grantee."

WHEREAS, in a full public proceeding affording due process to all parties, Grantor considered and found adequate and feasible Grantee's plans for constructing and operating the cable television system, and Grantor considered and determined that the financial condition, character, legal and technical ability of the Grantee are sufficient to provide services, facilities and equipment necessary to meet the future cable-related needs of the community, and

WHEREAS, the Grantor finds that the Grantee has substantially complied with the material terms of the current Franchise under applicable laws, that this Franchise complies with New York Public Service Commission's ("NYPSC") franchise standards under Title 16, Chapter VIII, Part 895 of the Official Compilation of Codes, Rules and Regulations of the State of New York, and that the grant of a nonexclusive franchise to Grantee is consistent with the public interest, and

WHEREAS, the Grantor and Grantee have complied with all federal and State-mandated procedural and substantive requirements pertinent to this franchise renewal, and

WHEREAS, Grantor desires to enter into this Franchise with the Grantee for the construction and operation of a cable system on the terms set forth herein, and

WHEREAS, the Franchise and the rights, privileges and authority hereby granted shall be for an initial term of fifteen (15) years, commencing on the effective date of approval by the NYPSC.

NOW, THEREFORE, the Grantor and Grantee agree to the stipulations set forth in the Franchise Agreement presented at this meeting.

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

**TOWN HALL SECURITY – UPGRADES*****(Resolution 21-116)***

A motion was made by Mrs. Carroll, seconded by Mr. Dubois, to enter into an agreement with Johnson Controls for the installation of security upgrades in the Town Hall according to their quote dated January 13, 2021, under New York State Contract PT68818, in an amount not to exceed \$2,153.80 from account A1620.200.

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

**HIGHWAY DEPARTMENT – SEPTIC CLEAN OUT*****(Resolution 21-117)***

A motion was made by Mrs. Carroll, seconded by Mrs. Jenkins, to hire Vern Vallance Septic Service, Inc. to pump/clean 4 tanks as follows: Shop Tank - 1250 gallons \$295.00; Building #5/truck bays - 1000 gallons \$265.00; Building #1/main office - 1000 gallons \$265.00; Park Tank - 500 gallons \$160.00. Total amount for all 4 tanks not to exceed \$985.00 and to be paid as follows: \$825.00 from account A5132.410 and \$160.00 from account A7120.200.

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

**HAMLET FLOWERS FOR BRIDGES ON ROUTES 64 AND 251*****(Resolution 21-118)***

A motion was made by Mrs. Carroll, seconded by Mr. Dubois, to authorize the Supervisor to prepare and submit any and all necessary permits, including SEQRA if appropriate, for placing flowers on the bridges in the Hamlet on NYS Routes 64 and 251.

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

**HAMLET BANNERS – AUTHORIZATION TO PURCHASE*****(Resolution 21-119)***

A motion was made by Mr. Dubois, seconded by Mrs. Jenkins, to purchase eight (8) pole banners, including graphic design, from VitalSigns according to their estimate number 21-0496, submitted April 5, 2021 and amended by hand, for an amount not to exceed \$1,395.00 from account B7550.460.

Supervisor Moffitt explained that the current banners were worn. Mrs. Jenkins asked about the wording on them.

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

**SELF-WATERING PLANTER – AUTHORIZATION TO PURCHASE*****(Resolution 21-120)***

A motion was made by Mrs. Jenkins, seconded by Mrs. Carroll, to purchase twelve (12) bridge planter reservoirs and twenty (20) hanging basket planter reservoirs from Planters Unlimited according to their quote number QT1020603 dated March 10, 2021, for an amount not to exceed \$3,417.00 from account B7550.460.

Supervisor Moffitt explained that this would save on labor and overtime.

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

**FLAGS – AUTHORIZATION TO PURCHASE*****(Resolution 21-121)***

A motion was made by Mr. Dubois, seconded by Mrs. Carroll, to purchase fifty-two (52) 3'x5' nylon US flags from Freds Flags for an amount not to exceed \$1,183.00 from account B7550.450.

Supervisor Moffitt explained that the current flags were unserviceable.

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

**HISTORIC PRESERVATION COMMISSION – CHANGE MEETING LOCATION, DAY AND TIME*****(Resolution 21-122)***

A motion was made by Mrs. Jenkins, seconded by Mrs. Carroll, to establish a new location, day and time for the meetings of the Historic Preservation Commission as follows: 7:00PM the first Wednesday of each Month at the Mendon Town Hall, 16 West Main Street, Honeoye Falls, NY.

The Board discussed the value of maintaining this Commission, based on their lack of meetings.

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

**USE OF RECTANGULAR FIELDS – SEMMEL ROAD*****(Resolution 21-123)***

A motion was made by Mrs. Jenkins, seconded by Mr. Dubois, to approve use of the rectangular athletic fields on Semmel Road by Blaze Soccer according to their submitted schedule.

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

**USE OF SOFTBALL FIELD – SEMMEL ROAD**

*(Resolution 21-124)*

A motion was made by Mr. Dubois, seconded by Mrs. Jenkins, to approve the use of the softball field on Semmel Road by Honeoye Falls Methodist & Rush Methodist Dave Lochner Memorial Church Softball League according to their submitted schedule, pending receipt of their insurance certificate.

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

**BOARD OF ASSESSMENT REVIEW – APPOINTMENT**

*(Resolution 21-125)*

A motion was made by Mrs. Carroll, seconded by Mr. Dubois, to appoint Nicole Sayers to the Board of Assessment Review, term to expire September 30, 2026.

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.

**ADJOURNMENT**

*(Resolution 21-126)*

A motion was made by Mr. Dubois, seconded by Mrs. Carroll, to adjourn the meeting at 7:42PM.

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