

The regular meeting of the Mendon Town Board was held at 7:00 PM, Monday, March 14, 2022, at the Town of Mendon Falls Post #664 Community Center, 167 North Main Street, Honeoye Falls, NY.

PRESENT: John D. Moffitt, *Supervisor*
 Cynthia M. Carroll }
 Thomas G. Dubois } *Town Board*
 Karen R. Jenkins } *Members*
 Brent Rosiek }

TOWN CLERK: Michelle Booth

OTHERS PRESENT: Andrew Caschetta, *Highway Superintendent*, Danny Bassette, *Zoning Board Chair*, Lauren Smith, *Planning Board Chair*, and 2 others.

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

AGENDA
(Resolution 22-101)

A motion was made by Mr. Dubois, seconded by Mrs. Carroll, to adopt the agenda as presented.
Adopted: Mrs. Carroll, Aye; Mr. Dubois, Aye; Mrs. Jenkins, Aye; Mr. Rosiek, Aye; Mr. Moffitt, Aye.

PUBLIC COMMENT

No one from the public wished to comment.

COMMUNICATIONS
Highway Superintendent

Mr. Caschetta reported the return of one of the two trucks, in need of repairs, are back on the road. This puts them back to six routes. In between storms they have been trimming brush along the Town roads, cleaning catch basins in the cul-de-sacs. Mr. Caschetta has been working with the County in regards to the summer work program, he attended a couple informational meetings on advocacy and CHIPS.

Town Clerk

Mrs. Booth reported about 93% of the taxes for this warrant have been received. There are plenty of COVID test still available in the office.

Town Board

Mr. Rosiek reported on the Zoning Board of Appeals meetings. He believes a training session similar to what the Planning Board held would be helpful to this board. Mr. Rosiek attended the bid opening for the spray park and has been working with the Building Dept. to make binders for all the boards; to provide useful information. He reported auditing the Town Court records and everything looks good. Mr. Rosiek has been in contact with, Jessica Kelly, girl scout leader, because he would like the Board to recognize the Arbor Day tree planting that is coming up. He requests the Building Dept. do a monthly report to the Town Board at each month's meeting.

Ms. Carroll gave an update on the library. She acknowledged performing the audit of the Town Court and gave a favorable report.

Mr. Dubois reported on the Environmental Conservation Board and Planning Board. He would also like to see the Youth Center open for a couple months, before school ends for the year.

Supervisor

Supervisor Moffitt reported a local girl scout troop would like to use part of the old library for storage and meetings, they will work on getting the space open for them. He stated he would be starting the budget for the spray park and updated on the bid opening. Supervisor Moffitt stated he would be attending the Mendon Business Association meeting tomorrow, he has attended several webinars and trainings on claims, planning, and rural development. Mr. Moffitt, along with the other Monroe County Supervisors, sent a letter to the Governor opposing the new Zoning legislation on accessory structures within towns. He also stated on Sunday, March 20, there will be a ceremony for Ben Houle, the boy scout that designed the flag recycling box outside of the Community Center; he will be attending. There is a new calendar feature available on the Town website, he encourages everyone to check it out. Mr. Moffitt reported on new legislation being proposed, allowing electric heat only on newly built homes.

SUPERVISOR'S MONTHLY REPORT***(Resolution 22-102)***

A motion was made by Mrs. Jenkins, seconded by Mr. Rosiek, to acknowledge receipt of the Supervisor's Monthly Report for February 2022.

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

TOWN CLERK'S MONTHLY REPORT***(Resolution 22-103)***

A motion was made by Mr. Rosiek, seconded by Mrs. Carroll, to acknowledge receipt of the Town Clerk's Monthly Report for February 2022, showing receipts and disbursements in the amount of \$4,712.93.

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

MINUTES***(Resolution 22-104)***

A motion was made by Mrs. Jenkins, seconded by Mr. Dubois, to approve the minutes of the February 14, 2022, regular Town Board meeting, as submitted.

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

BUDGET TRANSFERS/ADJUSTMENTS***(Resolution 22-105)***

A motion was made by Mr. Dubois, seconded by Mrs. Carroll, to approve the following budget adjustments:

From: B 1990.4	Contingent Account	\$68.00
To: B 4540.4	Ambulance Contract	\$68.00

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

VOUCHERS**General Abstract*****(Resolution 22-106)***

A motion was made by Mrs. Jenkins, seconded by Mrs. Carroll, to approve all claims on vouchers numbered 22-131 to 22-219, on General Abstract 22-03, in the amount of \$270,361.92

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

Library Abstract

Library vouchers numbered 22-022 to 22-036, on Library Abstract 22-03, in the amount of \$3,859.03 were presented to the Town Board for payment.

MENDON GREEN – CONFIRMATION OF ORIGINAL SEQRA DECLARATION FOR CURRENT PROJECT***(Resolution 22-107)***

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

WHEREAS, in 2005 the Mendon Town Board (Town Board) and the Mendon Planning Board (Planning Board) approved a 54 lot Planned Unit Development (PUD) for an 87-acre parcel known as Mendon Green on Pittsford Mendon Road, and

WHEREAS, SEQRA review was done and a Negative Declaration was issued by the Town Board at that time, and

WHEREAS, in 2005 the Town Board entered into a Sewer Agreement with the Town of Pittsford for this PUD, and

WHEREAS, in 2005 the Planning Board approved the Preliminary Site Plan for Mendon Green, and

WHEREAS, being that this PUD was never constructed, in 2017, Riedmann Associates, LLC and Charles F. Ryan, II of homes by Ryan, approached the Planning Board regarding the development of a 92 lot PUD at the Mendon Green site, of which the Planning Board gave a Favorable Report to the Town Board, and WHEREAS, a new Sewer Agreement for the new 92 lot PUD was not adopted by the Town Board, and WHEREAS, the applicants sued the Town in Monroe County Supreme Court and Judge J. Scott Odorisi's decision allowed them to proceed. Though PUD's had been deleted from the current Zoning Chapter of the Town Code, Judge Odorisi ordered the Mendon Green parcel follow the previous Code as it pertains to PUD's, and

WHEREAS, the Town appealed that decision and the Appellate Court overturned several of Judge Odorisi's decisions, but ordered that the 2005 Sewer Agreement between the Town and the Town of Pittsford was in effect for forty (40) years from inception, and that Mendon Green follow the previous PUD section of the Town's Code, and

WHEREAS, in 2021 Riedmann Associates, LLC returned to the Planning Board for approval of a revised PUD consisting of 30 lots, and

WHEREAS, the Town's Planning Board Attorney has requested the Town Board review the original SEQRA review approval as it pertains to this revised project, and

WHEREAS, the Town's engineering firm LaBella Associates has stated that the Negative Declaration issued for the original project is still valid.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby confirms that the original SEQRA Negative Declaration issued for the Mendon Green PUD applies to the revised plan for this development.

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

AGENDA AMENDMENT***(Resolution 22-108)***

A motion was made by Mr. Rosiek, seconded by Mrs. Jenkins, to amend the current agenda.

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

MENDON GREEN – PLANNING BOARD***(Resolution 22-109)***

A motion was made by Mr. Rosiek, seconded by Mrs. Jenkins, to adopt the following:

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

1. The Town Board hereby consents to the Mendon Green preliminary site plan approval being granted by the Planning Board.

2. This resolution shall take effect immediately.

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

SPECIAL TOWN BOARD MEETING MARCH 28, 2022***(Resolution 22-110)***

A motion was made by Mrs. Carroll, seconded by Mr. Dubois, to schedule a Special Town Board Meeting on March 28, 2022- 7:00pm at the Mendon Community Center. For the purpose of consideration of the bids for the Mendon Spray Park and Military Memorial and any other business before the board.

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

CONTRACT WITH CONSTRUCTION ATTORNEY- C. ALLAN REEVE***(Resolution 22-111)***

A motion was made by Mrs. Carroll, seconded by Mrs. Jenkins, for the Supervisor to enter into a contract with attorney, C. Allan Reeve for any construction consultation regarding the Mendon Spray Park and Military Memorial, rate of \$350.00 per hour.

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

UNSAFE BUILDING 3316 RUSH MENDON ROAD***(Resolution 22-112)***

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

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

1. Pursuant to Section 117-5 of the Town Code, based upon a report from the Code Enforcement Officer, the Town Board hereby determines that the barn located at 3316 Rush Mendon Road is declared unsafe and hereby orders its demolition. The Code Enforcement Office shall serve on the owner of the property a written notice directing that the building be demolished and removed within 30 days of a hearing to be held by the Town Board on April 11, 2022 at 7:00 PM at its regular Town Board meeting.

2. The Code enforcement Officer shall serve and file notice as directed in Chapter 117 of the Code.

3. This resolution shall take effect immediately.

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

GENERAL CODE- ESTIMATE FOR SUPPLEMENT***(Resolution 22-113)***

A motion was made by Mr. Rosiek, seconded by Mrs. Carroll, to authorize the Supervisor to enter into a contract with General Code for a Supplement for the Town of Mendon Code. Not to exceed \$725.00, from account B 8023.400.

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

AMBULANCE CONTRACT- VILLAGE OF HONEOYE FALLS***(Resolution 22-114)***

A motion was made by Mrs. Carroll, seconded by Mr. Rosiek, to contract with the Village of Honeoye Falls for Ambulance Service for the Town of Mendon, outside the Village of Honeoye Falls for the 2022 calendar year. Not to exceed \$131,701.00 from account B 4540.4.

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

SIDEWALK AGREEMENT- VILLAGE OF HONEOYE FALLS***(Resolution 22-115)***

A motion was made by Mr. Rosiek, seconded by Mrs. Jenkins, to authorize the Supervisor to enter into an agreement with the Village of Honeoye Falls for snow removal from the Mendon Public Library sidewalks at such times as Village equipment is available.

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

CONTRACT WITH SUBURBAN ANIMAL HOSPITAL

(Resolution 22-116)

A motion was made by Mr. Dubois, seconded by Mr. Rosiek, to authorize the Supervisor to enter into a contract with Suburban Animal Hospital for stray dogs or injured animal to expire 12/31/22, as per the contract.

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

ATHLETIC FIELD USE

(Resolution 22-117)

A motion was made by Mrs. Jenkins, seconded by Mrs. Carroll, to allow Blaze Soccer for field use at Driesbach Park Fields on Semmel Road on the scheduled dates approved by the Supervisor, at a cost of \$400.00 per year.

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

PUBLIC COMMENT

Town Clerk, Michelle Booth, stated she attended the Monroe County Clerk's Association meeting last week and they had mentioned the possibility of opening one or more facilities in the County to hold stray dogs, as most towns are struggling with a place to house the animals.

ADJOURNMENT

(Resolution 22-118)

A motion was made by Mr. Dubois, seconded by Mrs. Carroll, to adjourn the meeting at 7:55 PM.

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