

A regular meeting of the Mendon Town Board was held at 7:00 PM, Monday, May 13, 2024, at the Mendon Town Hall, 16 West Main Street, Honeoye Falls, NY.

**PRESENT:** John D. Moffitt, *Supervisor*  
 Cynthia M. Carroll }  
 Thomas Dubois } *Town Board*  
 Kimberly Roberts } *Members*  
 Brent Rosiek }

**TOWN CLERK:** Michelle Booth

**OTHERS PRESENT:** Tom Fromberger, *Town Engineer*, Andy Caschetta, *Highway Superintendent*, Danny Bassette, Matthew Piston and Alexander Anselment, *Attorneys with Evans Fox LLP*, and 2 others.

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

**AGENDA**  
**(Resolution 24-142)**

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

**PUBLIC COMMENT**

Andrew Caschetta, residing at 72 Rush Mendon Townline Rd, addressed the matter of highway business during the meeting. He reported that he recently onboarded a new employee. The highway department is expected to complete the brushwork by the end of this week. Additionally, Andrew mentioned that he has secured the 2025 brush contract.

**COMMUNICATIONS**

**TOWN CLERK, Michelle Booth**, provided the following updates:

- Tax Collection:
  - Approximately 96% of Town and County taxes have been collected.
- Professional Development:
  - Michelle attended the NYS Retirement System Employer Education Seminar on April 12, 2024.
  - Michelle attended 6 meetings with the ADP onboarding team.
- Zoning Board Meeting:
  - Michelle filled in at the April 11 Zoning Board Meeting to record the meeting and take minutes.
- New Procedures:
  - Alison, our new finance specialist, will be coming out on Tuesday, May 14th to review the vouchers and ensure a seamless transition.
- Peddler’s Permits
  - Fox Pest Control – requested a permit, The Town is waiting on the application that was not submitted, background check authorization forms for each person, and a check for \$1000.00. This has not been approved.
  - Renewal by Andersen – Applied for the permit; background check was finished, no concerns; currently waiting for insurance information and check for \$1400.00. This has not been approved.

**TOWN BOARD**

**Brent Rosiek** communicated the following:

- ZBA/PB Updates:
  - The Planning Board (PB) discussed a site plan for Boughton Hill Road involving an accessory structure in front of the primary residence. More information is needed for PB to proceed with the review.

- A BBQ restaurant Special Use Permit (SUP) application at the previous location of Mac/Mark's Pizza on Assembly Drive was approved with conditions. The restaurant aims to open next week, with significant discussion on signage.
- Meeting with Supervisor & CEO:
  - Ongoing meetings are focused on staying ahead of new trends while remaining no more than one step behind. Day-to-day town matters are also on the agenda.
- MCBA Updates:
  - Hamlet Beautification is scheduled for Saturday, May 18th at Mendon Station Park.
  - Monthly lunch meetings continue, with the MCBA website up and running. Efforts are underway to promote businesses and maintain Mendon's character while ensuring fiscal responsibility.
- Sidewalks:
  - Detailed discussions on two agenda items regarding sidewalks are scheduled for tonight.
- Finance School Week of May 6th:
  - Being his 2<sup>nd</sup> or 3<sup>rd</sup> time for some of the classes, it was easier to relate them to the means and methods of Mendon Business.
  - Emphasis on the Claims Audit Process aligning with the Procurement Policy to avoid potential liabilities for the Town Board members.
- Stormwater Task Force:
  - Progress is on track to meet the June targets required by the new EPA permit for stormwater management. Further updates will be provided at the June Town Board meeting.
  - Plans to initiate visual inspections and update the Stormwater Management Plan are underway.
- Meetings with Supervisor, Hwy Superintendent, and Deputy Hwy Superintendent:
  - Considering resuming monthly meetings in June or July, believing they aided in the budget process and communication.
- Fuel Audit:
  - Completed separately by Cindy Carroll and himself, findings suggest improvements in auditing processes.
  - He emphasized auditing commodities like fuel for checks and balances rather than suspecting theft.
  - Early detection of fuel leaks can help environmental concerns.
- Work Environment in the Town of Mendon:
  - Discussion on providing a respectful, inclusive, and ethical work environment, examples can easily be cited of behaviors that undermine this environment.
  - Commitment to work with ADP to review and improve practices across all levels of town governance to foster a positive work environment.

**Kim Roberts** provided the following updates:

- Zoning Board of Appeals Meeting:
  - Attended the April 11 meeting where two area variances were approved.
  - She noted that the meetings scheduled for April 25 and May 9 have been canceled due to the absence of applications to review.
- Mendon Youth Center
  - Kim requested data regarding the number of children utilizing the Youth Center.
- Code of Ethics Board
  - She inquired about the members comprising this Board.

**Cynthia Carroll** provided the following updates:

- Library Updates:

- The library has acquired a new flag and rose bush, enhancing its exterior appearance. Kevin has dedicated time to yard work around the entrance and by the brick wall, improving the overall aesthetic.
- The 2025 state budget has been approved, with State Aid for Libraries (Operating Aid) receiving \$103.852 million, marking a significant increase of \$4.252 million from FY 2024.
- On June 14, NFP will conduct phone work at the library at no additional cost. Tasks include migrating to a newer IP-Telephony Server with improved features, installing a replacement cordless phone, and implementing new carrier services (SIP Trunking w/Clearfly). Additionally, fax services will be switched to the Xerox printer, eliminating the need for the old fax machine.
- Staff members have been assigned to complete Violence in the Workplace/Active Shooter training.
- The library will be closed from 9:00 am to 1:00 pm on May 23 for Library Staff Training Day.
- Kelly visited the Central Library with her Middle School Life Sciences Students, enriching their learning experience.
- In May, the library is offering Jewish Story and Girl Scout Story Time sessions and preparing for the Summer Reading Program. Promotion efforts include outreach to schools and participation in the Fire Department Carnival on June 1.
- The community has shown strong support for the Summer Reading Program, with numerous businesses offering prizes for participants.
- Teen volunteers are actively involved in preparing decorations and materials for the Summer Reading Program. Two volunteers, Maggie Grann, and Aron Seluanov, have been recognized as Youth Citizens of the Year by the County, with a recognition event scheduled for May.
- Fuel Audit Report (May 2, 2024):
  - The Gas Buddy System provides fuel auditing services, offering detailed reports to the Highway Department at the end of each month.
  - Gas pumps are utilized by various departments including buildings and grounds, highway, fire departments, and code enforcement. Each vehicle is equipped with a fob, allowing for tracking of usage.
  - Denise receives a daily inventory report detailing the amount of fuel in each tank, and delivery history is provided by vendors. Gas procurement is based on bids from OGS.
  - She noted that the weather can affect fuel quantities in tanks.

**Thomas Dubois** provided the following updates:

- ECB Meeting and HPC Meeting:
  - Attended ECB meeting where they were reviewing a project at 2785 Rush Mendon Rd., he expects this to go to the Planning Board next.
  - HPC did not have a meeting
- Agrees with Mr. Rosiek regarding the work environment in the Town.

**Town Supervisor, John Moffitt**, provided the following:

- Salary information was provided to everyone, from the towns that participated, in the Salary Study.
- Received a couple of violations from PESH, which have been addressed, and we are now in good standing.
- John attended Finance school, participating in several beneficial classes.

- Reported that Highway Superintendent, Andrew Caschetta filed a complaint against the Town of Mendon.
- Any spray park deficiencies were reported before the one-year warranty expired, ensuring coverage for necessary repairs.
- The AUD report, now the AFR report, raised questions about the variance between total expenditures and total budgeted appropriations, which exceeded 20%, for the DA and DB funds.
- Permissive referendums from last month's meeting have passed, and all money was successfully transferred.
- John attended several onboarding meetings with ADP, internal monthly stormwater meetings, and meetings with the building and grounds to address issues with birds in the salt barn. He also attended a Mendon Fire Department consolidation meeting.
- Flowers and flags will be displayed in time for Memorial Day.
- A new hot water tank has been installed at the Town Hall.
- Mary Fletcher's last day was April 30.
- Grievance day is approaching on May 28th; individuals can contact the Assessor's Office for more information.

### **SUPERVISOR'S MONTHLY REPORT**

#### ***(Resolution 24-143)***

A motion was made by Mr. Rosiek, seconded by Mrs. Carroll, to acknowledge receipt of the Supervisor's Monthly Reports for April 2024.

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

### **TOWN CLERK'S MONTHLY REPORT**

#### ***(Resolution 24-144)***

A motion was made by Mrs. Roberts, seconded by Mr. Rosiek, to acknowledge receipt of the Town Clerk's Monthly Report for April 2024, showing receipts and disbursements of \$19,874.10.

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

### **MINUTES**

#### ***(Resolution 24-145)***

A motion was made by Mr. Rosiek, seconded by Mrs. Roberts, to approve the meeting minutes held on April 9, 2024, as presented.

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

### **BUDGET ADJUSTMENTS**

#### **General Abstract**

#### ***(Resolution 24-146)***

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

From: A1990.470	Contingent Account	\$7,056.00
To: A9050.800	Unemployment Ins.	\$7,056.00

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

### **VOUCHERS**

#### **General Abstract A**

#### ***(Resolution 24-147)***

A motion was made by Mrs. Carroll, seconded by Mr. Dubois, to approve all claims on vouchers numbered 24-280 to 24-292, on General Abstract 24-05A, for \$32,274.72.

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

#### **General Abstract B**

#### ***(Resolution 24-148)***

A motion was made by Mrs. Carroll, seconded by Mr. Dubois, to approve all claims on vouchers numbered 24-293 to 24-345, on General Abstract 24-05B, for \$42,059.66.

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

**Highway Abstract**  
**(Resolution 24-149)**

A motion was made by Mrs. Carroll, seconded by Mr. Dubois, to approve all claims on vouchers numbered 24-027 to 24-062, on General Abstract 24-05, in the amount of \$17,133.72.

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

**Library Abstract A**

Library vouchers numbered 24-054 to 24-060, on Library Abstract 24-05A, in the amount of \$1,672.60, were presented to the Town Board for payment.

**Library Abstract B**

Library vouchers numbered 24-061 to 24-067, on Library Abstract 24-05B, in the amount of \$3,257.50, were presented to the Town Board for payment.

**PUBLIC HEARING - SMOKE SHOPS MORATORIUM - PROPOSED LOCAL LAW**

Supervisor Moffitt opened the public hearing at 7:26 PM.

The public hearing was held to consider a local law to implement a temporary moratorium on smoke shops.

**Public Comment**

There was no public comment.

Mr. Moffitt received 4 emails opposing smoke shops from:

- T. Lyons, Hampshire Lane
- C. Thompson, Taylor Rd
- T. Wandtke, Hampshire Lane
- Anonymous, Mendonshire Dr.

**(Resolution 24-150)**

A motion was made by Mr. Dubois, seconded by Mrs. Carroll, to close the public hearing at 7:28 PM.

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

**LOCAL LAW NO. 24-01 – A TEMPORARY MORATORIUM RELATIVE TO SMOKE SHOPS**  
**(Resolution 24-151)**

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

WHEREAS, the Mendon Town Board finds and hereby determines that its current regulations, including, specifically, its zoning regulations, do not specifically or otherwise adequately address smoke shops, and, as such, the Town should conduct a review, assessment, and evaluation for the purpose of considering possible amendments to its Town Code to address smoke shops; and

WHEREAS, while the Town engages in the review and the development of local legislation to regulate smoke shops, the Town Board finds that any development or establishment of new smoke shops should be prohibited for a temporary period of time until completion of the same in order to protect the health, safety, and welfare of the Town of Mendon.

WHEREAS, the Town Board has before it a local law to implement such a moratorium, on file with

the Mendon Town Clerk, where it has been available for review by the public, said moratorium local law being attached hereto and made a part hereof; and

WHEREAS, the Mendon Town Board duly advertised and held a public hearing on the proposed moratorium local law in order to solicit and consider public input on the same; and WHEREAS, the Mendon Town Board referred the moratorium local law to the Monroe County Planning Board, more than 30 days have since passed, and no comments have been received; and

WHEREAS, this matter is a Type II action pursuant to SEQR, and not subject to review thereunder.

NOW, THEREFORE, BE IT RESOLVED, that upon consideration of such moratorium local law and any comments thereon, the Town Board finds and determines it to be in the Town's best interest to approve such moratorium local law for the reasons set forth above and therein; and, be it further

RESOLVED, that the Town Board hereby adopts and approves Local Law No. 1 of 2024 to Implement a Temporary Moratorium Relative to Smoke Shops, said moratorium local law being attached hereto; and, be it further

RESOLVED, that the Mendon Town Clerk be and hereby is directed to enter said Local Law into the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State of the State of New York.

BE IT ENACTED, by the Town Board of the Town of Mendon, Monroe County, State of New York, as follows:

Section I. Authorization

The adoption of this Local Law is in accordance with Section 10 of New York's Municipal Home Rule Law. It is the intent of this Local Law to supersede any statutes or regulations which may be inconsistent with the provisions herein, all pursuant to the Town's municipal home rule powers under Municipal Home Rule Law.

Section II. Title and Purpose

This law shall be known as and may be cited as Local Law No. \_\_-2024 of the Town of Mendon to Implement a Temporary Moratorium Relative to Smoke Shops.

The purpose of this local law is to enact a moratorium in the Town of Mendon in order to temporarily prohibit, for a period of six months, the establishment of new "Smoke Shops", as defined herein, within the Town of Mendon, while the Town examines and studies the impacts of Smoke Shops and considers and/or develops and implements local legislation to address the same.

Section III. Legislative Findings

The Mendon Town Board finds that its current regulations, including, specifically, its zoning regulations, do not specifically or otherwise adequately address Smoke Shops. Therefore, it does not appear that there has been an evaluation of their proper location, suitability for different districts, or otherwise appropriate regulations to accommodate their presence within the Town. The Town Board finds that it should consider amendments to its Town Code to adequately address Smoke Shops, including appropriate locations and conditions under which they may be allowed to operate in the Town. Therefore, the Town seeks to conduct a review, assessment and evaluation for the purpose of considering possible amendments to its Town Code, including to address the various issues/impacts concerning Smoke Shops.

It is the intention of the Town Board to preserve the status quo during this period of review and development of regulations, and thus to preclude the establishment of any new Smoke Shops within the Town before appropriate legislation is enacted or it is determined that no further legislation is needed. Therefore, the Town Board has determined that there is a critical and compelling need, and that it is in the best interest of the government, protection, order, conduct, safety, health and well-being of the persons and property in the Town of Mendon, to impose a temporary moratorium on new Smoke Shops in the Town of Mendon.

#### Section IV. Moratorium Provisions

##### A. Definitions:

###### SMOKE SHOP:

Any retail shop or business which offers for sale or consideration, as a substantial or significant portion of its business, merchandise and/or stock-in-trade, whether intended for smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing, or ingesting by any other means into the body, the following ("Smoke Shop Products"):

- a. tobacco, tobacco products, or tobacco/smoking paraphernalia, including but not limited to cigarettes, cigars, pipes, hookahs, etc. and/or
- b. electronic cigarettes (e.g., electronic nicotine delivery systems), vape pens, vapors, e-liquids, e-vaporizers, or other like substances, and/or
- c. CBD (cannabidiol) products (not including products containing THC), including but not limited to CBD gummies and/or CBD oil, for example. Smoke Shops do not include cannabis retail dispensaries (which are not permitted in the Town of Mendon).

Factors of Significance: For purposes of this definition, "substantial or significant" may be determined using the following considerations:

- a. The amount of sales floor area used for the sale of Smoke Shop Products, including as compared to the total sales floor area used for the sale of other products; and/or
- b. The amount of Smoke Shop Products accessible to customers, generally, including as compared to other products accessible to customers; and/or
- c. Revenues (or expected revenues) derived from Smoke Shop Products, including as compared to total revenues; and/or
- d. Advertising/marketing devoted to Smoke Shop Products, including as compared to advertising/marketing otherwise, and including the name of the business; and/or
- e. The use of the establishment for Smoke Shop Products, including as compared to total use thereof.

Conclusive Determination: Notwithstanding the above considerations (which above considerations may nonetheless be utilized even where the below does not apply), the following shall be conclusive in determining a "substantial or significant portion:"

- a. Thirty-three percent (33%) or more of the sales floor area is used for the sale of Smoke Shop Products, and/or
- b. Thirty-three percent (33%) or more of the establishment's stock-in-trade comprises Smoke Shop Products, and/or
- c. Thirty-three percent (33%) or more of the establishment's gross income (or expected gross income) is derived from Smoke Shop Products; and/or
- d. Thirty-three percent (33%) or more of the establishment's

advertising/marketing is devoted to Smoke Shop Products, and/or the public-facing name of the business indicates that it is a Smoke Shop.

Grocery/Supermarket/Convenience Stores: Any grocery store, supermarket, convenience store or similar retail use that sells conventional cigars, cigarettes or tobacco as ancillary sales (i.e., Smoke Shop Products are not a "substantial or significant" portion of business) shall not be defined as a Smoke Shop.

**B. Moratorium**

For a period of six months (or less, if the Town Board so determines and repeals this moratorium) following the approval of this Local Law, except as otherwise provided herein, there shall be a moratorium on new Smoke Shops in the Town of Mendon, which includes:

1. The prohibition on accepting, reviewing, processing or approving applications for new Smoke Shops (including applications submitted prior to approval of this Local Law), including, but not limited to, applications for building permits, certificates of occupancy, certificates of compliance, site plan approvals, subdivisions, special use permits and/or other use permits, or rezoning; and
2. The prohibition on the construction, operation or establishment of new Smoke Shops in the Town of Mendon; and
3. The prohibition on the expansion of or addition to existing Smoke Shops in the Town of Mendon.

Notwithstanding the foregoing, the length of this Moratorium may be modified by the subsequent repeal or amendment of this law.

**C. Application for Relief**

Any party considering itself aggrieved by this local law may apply to the Zoning Board of Appeals for a use variance from the limitations in this local law, all pursuant to those regulations governing use variances.

**D. Penalties**

Any person, firm, company or corporation that violates this Local Law shall be subject to penalties and enforcement provisions as set forth at Article XVI of Chapter 260, entitled "Zoning," of the Mendon Town Code.

**Section V. Validity and Severability**

Should any word, section, clause, paragraph, sentence, part or provision of this Local Law be declared invalid by a Court of competent jurisdiction, such determination shall not affect the validity of any other part hereof.

**Section VI. Repeal, Amendment and Supersession of Other Laws**

All other Ordinances or Local Laws of the Town of Mendon which are in conflict with the provisions of this Local Law are hereby superseded or repealed to the extent necessary to give this Local Law force and effect during its effective period.

**Section VII. Effective Date**

This Local Law, after its adoption by the Town Board of the Town of Mendon, shall take effect immediately upon its filing with the Secretary of State of NY.

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

**HAMLET SIDEWALK PROJECT**



**SEQRA Lead Agency  
(Resolution 24-152)**

A motion was made by Mr. Rosiek, seconded by Mrs. Roberts, that the Mendon Town Board declare itself the Lead Agency under SEQRA for the Hamlet Sidewalk Project.

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

**AGREEMENTS  
(Resolution 24-153)**

A motion was made by Mr. Dubois, seconded by Mr. Rosiek, to authorize the Town Supervisor to enter into agreements related to the Hamlet Sidewalk Project not to exceed \$200,000.00, and to be paid from account B8021.400.

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

**MONROE COUNTY FUNDING APPLICATION  
(Resolution 24-154)**

A motion was made by Mrs. Carroll, seconded by Mrs. Roberts, to authorize the Town Supervisor and Deputy Town Supervisor to submit an application to Monroe County for funding related to the Hamlet Sidewalk Project.

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

**TOWN CODE CHAPTER 241- AMENDMENT- ESTABLISH PUBLIC HEARING  
(Resolution 24-155)**

A motion was made by Mrs. Roberts, seconded by Mr. Dubois, to establish a public hearing at 7:00 PM, or as soon thereafter as the said hearing can be convened, Monday, June 10, 2024, at the Mendon Town Hall, 16 West Main Street, Honeoye Falls, NY, to consider a local law to amend Town Code Chapter 241 to conform to current law and regulations.

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

**FEE SCHEDULE - AMENDMENT  
(Resolution 24-156)**

A motion was made by Mr. Dubois, seconded by Mrs. Carroll, to approve the following amendment to the fee schedule:

- One (1) Day Marriage Officiant Permit - \$25.00
- Fill and Excavation Permit - \$125.00

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

**PERSONNEL POLICY - AMENDMENT  
(Resolution 24-157)**

A motion was made by Mrs. Roberts, seconded by Mrs. Carroll, to add the following to the Town's Personnel Policy:

- If an employee is out on job-protected leave of absence through the fourth quarter of the year and is not able to use vacation time, up to 60 hours may be carried over into the new year.

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

**PARCELS 215.03-1-7.2/NROW AND 215.03-1-7.2/SROW – DEED TO ADJACENT PROPERTY OWNERS  
(Resolution 24-158)**

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

WHEREAS, the Town of Mendon (the "Town") abandoned Stoney Lonesome Road pursuant to New York Highway Law § 205 in Resolutions 97-200 and 97-349; and

WHEREAS, Kathryn A. Bryan and Philip L. Bryan are the owners of two (2) parcels, situated in the Town of Mendon, New York: SBLs 215.03-1-7.2 and 215.03-1-7.3 (more commonly known as 3179 Rush Mendon Road, Mendon, New York, 14472); and

WHEREAS, the Town desires to convey two (2) parcels that formerly comprised Stoney Lonesome

Road (more commonly known as SBLs 215.03-1-7.2/NROW and 215.03-1- 7.2/SROW) to Kathryn A. Bryan and Philip L. Bryan; and

WHEREAS, the Town has been presented with a proposal to convey SBLs 215.03-1-7.2/NROW and 215.03-1-7.2/SROW to Kathryn A. Bryan and Philip L. Bryan; and WHEREAS, the Town Board concludes that the conveyance constitutes a Type II action under SEQR and requires no further SEQR review, analysis or action; and

WHEREAS, the Town desires to grant said parcels to Kathryn A. Bryan and Philip L. Bryan upon terms that are satisfactory and acceptable to the Town and counsel for the Town; and NOW, BE IT RESOLVED that the Town Board authorizes the Supervisor to negotiate and execute the deed necessary to effectuate such conveyance: (a) upon such terms acceptable to the Supervisor, (b) in such form approved by counsel for the Town, and (c) subject to full and complete satisfaction and compliance with all applicable local and state laws regarding the sale of municipal-owned real property, including, but not limited to New York State Town Law § 64 and any requirement and/or condition for a permissive referendum.

BE IT RESOLVED THAT the Town Clerk shall post and publish a Notice which shall set forth the date of the adoption of this Resolution, shall contain an abstract of such Resolution, shall specify that this Resolution was adopted subject to a permissive referendum; and shall publish notice in the official newspaper for the Town, and in addition thereto, that the Town Clerk shall post or cause to be posted on the signboard of the Town a copy of said Notice within ten (10) days of the adoption of this Resolution.

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

#### **424 CHEESE FACTORY ROAD – PROPERTY MAINTENANCE**

##### ***(Resolution 24-159)***

A motion was made by Mrs. Carroll, seconded by Mr. Rosiek, per NYS Town Law 64-Sa, to authorize the Town Supervisor to solicit, receive, and approve quotes for mowing and trimming 424 Cheese Factory Rd and charge the property owner for the service on their future Town Tax bill if they fail to submit payment directly.

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

#### **RIDINGS OF MENDON – LETTER OF CREDIT RELEASE**

##### ***(Resolution 24-160)***

A motion was made by Mrs. Roberts, seconded by Mr. Dubois, to authorize the Letter of Credit Release for Ridings of Mendon Section 2 for \$23,340.00. This has been reviewed and approved by the Town Engineer and Highway Superintendent.

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

#### **USE OF ATHLETIC FIELDS – DAVE LOCHNER MEMORIAL SOFTBALL LEAGUE**

##### ***(Resolution 24-161)***

A motion was made by Mrs. Carroll, seconded by Mr. Dubois, to authorize the use of the softball field on Semmel Road by the Dave Lochner Memorial Softball League, Tuesday Evenings from 5:45 PM to 9:15 PM, from May 21, 2024, until August 13, 2024. Application, fees, and insurance have been provided.

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

#### **PLANNING BOARD MEETING SCHEDULE – ADJUSTMENT**

##### ***(Resolution 24-162)***

A motion was made by Mr. Rosiek, seconded by Mrs. Carroll, to reschedule the Planning Board Meeting originally scheduled for June 19<sup>th</sup> to 7:00 PM, Wednesday, June 26, 2024, at the Mendon Town Hall, 16 West Main Street, Honeoye Falls, NY, because of the Federal Holiday, and to cancel the meeting originally scheduled for July 3<sup>rd</sup>.

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

**PUBLIC COMMENT**

There were no comments.

**ADJOURNMENT**

*(Resolution 24-163)*

A motion was made by Mr. Dubois, seconded by Mrs. Carroll, to adjourn the meeting at 7:59 PM.

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

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