

The Regular Meeting of the Mendon Town Board was held at 7:00 PM, Monday, February 10, 2025, 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: Danny Bassett, Tom Fromberger, *Town Engineer*, Gary Loope, *Deputy Highway Superintendent*, Andrew Caschetta, *Highway Superintendent*, Danielle Liberatore, David Smith, Peter Doyle, and several others.

Call to Order

The meeting was called to order.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Agenda

(Resolution 25-086)

Supervisor John Moffitt requested the board's indulgence to add two items that came in late to the agenda:

- Discussion on Stoney Lonesome Road regarding a proposal from MRB, to be added as item #25.
- A request for quotes for document scanning vendors from MRB, to be added as item #26.

He proposed moving public comment to #27 and adjournment to #28.

Mr. Rosiek moved to approve the agenda changes. Mrs. Carroll seconded the motion.

The motion was approved unanimously.

Public Comment

Morris Bickweat of 7 Sibleyville Lane addressed the board regarding political signs. He referenced a document he had previously provided citing six court proceedings that determined the town's position on political signs differed from their codes and was upheld by various courts. Mr. Bickweat expressed concern about offensive language on some signs and requested the board consider limitations on how long signs can be displayed, especially after an election or event.

Town Attorney Brian Marianetti responded, acknowledging receipt of the document. He explained that First Amendment protections require caution when regulating signage. He noted that time, manner, and place restrictions on temporary signs that are not content-based are generally permissible, but content-based restrictions face stricter scrutiny. Mr. Marianetti stated he is still reviewing the code and considering potential proposals to address the issue while ensuring legal compliance.

Joe Alati of 3516 Rush Mendon Road inquired about budget adjustments for 2024 on the agenda, asking if there were resolutions passed in 2024 that encumber those funds. Supervisor Moffitt offered to discuss it further via phone or email.

Communications

Town Clerk Michelle Booth reported:

- All tax payments for the town have been paid to the supervisor, with one more check expected once all interest, fines, or fees are collected.
- Two new part-time employees, Alyssa Stevenson and Rob Anderson, have started training in her office.

Brent Rosiek reported on the Planning Board meeting from January 15:

- A site plan on Rush Mendon Road was reviewed, with more information requested from the applicant.
- A special use permit update for Canfield Road was approved, transferring the existing permit to a new owner.
- A subdivision on Clover Street was approved with conditions.
- General discussion occurred regarding the RG&E station on NYS Route 64 north of the Thruway. Mr. Rosiek noted potential concerns from residents about RG&E's plans to not rebuild the barn structure around the heaters and stacks.

Mr. Rosiek also mentioned ongoing meetings with the supervisor and code enforcement officer to review town code, progress on projects with MRB, and attendance at various trainings and meetings.

Kimberly Roberts:

- Thanked Danielle for preparing employee compensation letters.
- Highlighted articles in recent Association of Towns publications about General Trends and Challenges for Local Government and Celebrating Our Nation's History, where she would like to have Diane Ham submit the information to possibly earn Mendon a recognition.
- Attended a Zoning Board of Appeals meeting on January 23, where a variance was granted for a property.
- Attended webinar trainings on fiscal oversight and policy management.
- Inquired about the status of the employee handbook revisions and would like to revise the Policy and Procedures manual.

Cynthia Carroll:

- Lyla Grills attended library meetings on advocacy and legal aid training.
- The library was awarded a \$3,300 internship grant for summer programming.

- Provided updates on library programs, volunteers, and art displays.
- Completed online trainings and changed voucher signing dates with Kim.
- Noted receipt of an email regarding snow plowing that she hadn't seen a response to.

Thomas Dubois reported on the Historic Preservation Committee and Environmental Conservation Board meetings, including:

- Approval of porch updates for a historic property at 983 West Bloomfield Road.
- Discussion of an article on tax credits for historic properties.
- Review of the Cawley site on Mendon Center Road.
- Discussions about the local climate action plan.
- He asked why a complaint about the road conditions was forwarded to the Town Board and not the Highway Superintendent.

Supervisor Moffitt reported:

- Contact from the Town of Lima regarding potential sidewalk connections.
- Ongoing work with ADP on the employee handbook.
- Upcoming participation in a New York Association of Towns Zoom roundtable.
- Receipt of weather-related complaints.
- Received a request for support from the Mendon Fire Department for the Parade.
- Noted full receipt of Town Taxes for 2025 from the Town Clerk.

Supervisor's Monthly Report

(Resolution 25-087)

Mrs. Roberts made a motion to acknowledge receipt of the supervisor's monthly report for December 2024. Cynthia Carroll seconded the motion.

The motion was approved unanimously.

Town Clerk's Monthly Report

(Resolution 25-088)

Mr. Rosiek made a motion to acknowledge receipt of the Town Clerk's monthly report for January 2025, showing receipts and disbursements in the amount of \$17,827.50. Mrs. Roberts seconded the motion.

The motion was approved unanimously.

Minutes

(Resolution 25-089)

Mr. Rosiek made a motion to approve the minutes of the organizational meeting held on 01/06/2025 as presented. Mr. Dubois seconded the motion.

The motion was approved unanimously.

Budget Adjustments 2024

(Resolution 25-090)

Mr. Rosiek made a motion to approve the 2024 budget adjustments as listed.

Mrs. Roberts seconded the motion.

From:	Town Board Contractual	A1010.400	\$400.00
To:	Town Board Personnel	A1010.100	\$400.00
From:	Justice Contractual	A1110.400	\$560.00
To:	Justice Staff	A1110.110	\$560.00
From:	Finance Personnel	A1310.100	\$12,130.00
To:	Supervisor Personnel	A1220.100	\$2,450.00
	Supervisor Staff	A1220.110	\$2,960.00
	Finance Contractual	A1310.400	\$4,200.00
	Town Clerk Staff	A1410.110	\$2,520.00
From:	Garage Personnel	A5132.100	\$4,055.00
To:	Superintendent HW Staff	A5010.110	\$3,300.00
	Superintendent HW Equip.	A5010.440	\$135.00
	Safety Personnel	A5020.100	\$620.00
From:	Mendon Sports Contractual	A7140.400	\$90.00
To:	Mendon Sports Equip.	A7140.420	\$90.00
From:	Employee Benefits	A9060.800	\$710.00
To:	Social Security	A9030.800	\$710.00
From:	Building Reserves	A9950.2R	\$100,000.00
	Town Hall Reserves	A9950.300	\$100,000.00
	Debt Service Reserves	A9950.400	\$10,000.00
	Employee Benefits	A9060.800	\$23,414.00

To: Transfer to Capital Project	A9950.900	\$233,414.00
From: Contingent	B1990.400	\$3,195.00
To: Safety Personnel	B3410.100	\$180.00
Bldg./Code Personnel	B3620.100	\$2,280.00
Bldg./Code Staff	B3620.110	\$735.00
From: Sidewalks Contractual	B8021.400	\$62,005.00
To: Planning Contractual	B8020.400	\$62,005.00
From: General Repairs Personnel	DB5110.100	\$30,000.00
Improvements Contractual	DB5112.400	\$12,500.00
To: Repairs Equipment	DB5110.200	\$42,500.00
From: Town Snow Contractual	DB5142.400	\$2,400.00
To: Drainage Personnel	DB5115.100	\$2,400.00
From: Brush Pick up Contractual	DB5140.400	\$310.00
To: Brush Pickup Personnel	DB5140.100	\$310.00
From: Personnel	DB5141.102	\$7,145.00
To: Personnel	DB5141.103	\$7,145.00
From: Personnel	DB5142.114	\$1,120.00
To: Town Snow Personnel	DB5142.117	\$1,120.00
From: Personnel	DB5142.114	\$6,400.00
To: Service to other Govts	DB5148.400	\$6,400.00
From: NYS Retirement	DB9010.800	\$2,550.00
To: Social Security	DB9030.800	\$2,550.00

From: Personnel	DB5142.114	\$12,250.00
To: Medical/Dental	DB9060.800	\$12,250.00

Supervisor Moffitt explained that while they are in the 2025 budget year, the 2024 budget has not been closed out. Finance staff are in the process of closing out the 2024 budget and preparing the annual update document required by the State of New York.

The motion was approved unanimously.

Budget Adjustments 2025

(Resolution 25-091)

Cynthia Carroll made a motion to approve the 2025 budget adjustments listed. Mr. Dubois seconded the motion.

From: Contingent Account	A1990.47	\$6,550.00
To: Town Board	A1010.1	\$2,080.00
Justice Personnel	A1110.1	\$4,470.00

The motion was approved unanimously.

Abstract of Audited Vouchers

(Resolution 25-092)

Mr. Dubois made a motion to approve all claims on vouchers number 25-025 to 25-038, General Abstract 25-02A, in the amount of \$914,212.00. Mrs. Roberts seconded the motion.

Mrs. Roberts noted that the large amount included \$624,933 for the Mendon Fire District, \$259,547 for New York State, and employee health care costs. Supervisor Moffitt clarified that the Mendon Fire District is its own entity that sets its own tax rate, which the town collects and passes on.

The motion was approved unanimously.

(Resolution 25-093)

Mr. Dubois made a motion to approve vouchers number 25-039 to 25-082, General Abstract 25-2B, in the amount of \$56,614.10. Mrs. Roberts seconded the motion.

The motion was approved unanimously.

(Resolution 25-094)

Mr. Dubois made a motion to approve claims on vouchers number 25-092 to 25-117 on Highway Abstract 25-2 in the amount of \$138,442.98. Mrs. Roberts seconded the motion.

Mr. Dubois noted that about \$90,000 of this amount was for rock salt, adding that the town should consider itself lucky given news stories about rock salt shortages this year.

The motion was approved unanimously.

Library vouchers number 25-012 to 25-016 on Library Abstract 25-02A in the amount of \$1,522.37, and library vouchers number 25-017 to 25-026 on Library Abstract 25-02B in the amount of \$3,271.61, were presented to the Town Board for payment.

Engagement Agreement for Legal Services

(Resolution 25-095)

Mr. Rosiek made a motion to approve the following engagement agreement with Donald Young for the provision of legal services, including planning work for the town. Mrs. Carroll seconded the motion.

AUTHORIZING ENGAGEMENT AGREEMENT WITH DONALD YOUNG FOR THE PROVISION OF LEGAL SERVICES INCLUDING TO THE PLANNING BOARD FOR TOWN OF MENDON FOR 2025

BE IT RESOLVED, that the Engagement Agreement for Planning Board Legal Counsel/ Legal Services for the Town of Mendon with Donald Young is hereby approved, all for the provision of legal services by Donald Young to the Town of Mendon as specified therein, including as Planning Board counsel at the monthly fee of \$1,250.00 (\$15,000.00 annually) to render legal services to said Board, in lieu of those as might be customarily rendered and performed by the office of the Planning Board Attorney, which office, if any, is abolished, as well as for other legal services as may be requested at the hourly rate(s) set forth therein, and further that the Town Supervisor is hereby authorized to execute such Agreement, and that Donald Young be so engaged in accordance with such Agreement; and, be it further

RESOLVED, that this Resolution shall supersede Resolution 25-010, which Resolution is hereby repealed.

The motion was approved unanimously.

Finger Lakes Building Officials Annual Educational Conference – Attendance Approval

(Resolution 25-096)

Mrs. Roberts made a motion to approve the attendance of Corey Gates and Tim Fess at the Finger Lakes Building Official's Annual Educational Conference, March 10-12, at the RIT Inn and Conference Center for mandatory training. All

legal and necessary expenses to be paid in an amount not to exceed \$800 from account B3620.4.

Supervisor Moffitt noted this was an annual, required educational conference.

The motion was approved unanimously.

New York Planning Federation Annual Conference – Attendance Approval

(Resolution 25-097)

Mrs. Roberts made a motion to approve the attendance of Brooke Buckland at the New York State Planning Federation Annual Conference, April 6-8 at the Otesaga Hotel in Cooperstown. All legal and necessary expenses to be paid in an amount not to exceed \$700 from account B3620.4.

Mr. Rosiek commented that this is an important training for the planning board and zoning board secretary to attend to help with understanding of the job.

The motion was approved unanimously.

Advocacy Day – Attendance Approval

(Resolution 25-098)

Mr. Dubois made a motion to approve the attendance of Andrew Caschetta at Advocacy Day, March 4-5, 2025 in Albany, New York. All legal and necessary expenses to be paid in an amount not to exceed \$233.70 from account A5010.4.

The motion was approved unanimously.

Annual School for Highway Superintendents – Attendance Approval

(Resolution 25-099)

Mrs. Carroll made a motion to approve the attendance of Andrew Caschetta at the Annual School for Highway Superintendents, June 2-4, 2025 at Ithaca College, Ithaca, New York. All legal and necessary expenses to be paid in an amount not to exceed \$510.00 from account 5010.4. Mr. Dubois seconded the motion.

The motion was approved unanimously.

Stoney Lonesome Road – Survey

(Resolution 25-100)

Mr. Rosiek made a motion to authorize the supervisor to accept proposals for the surveying of Stoney Lonesome Road east of New York State Route 64, otherwise known as Clover Street. Mrs. Roberts seconded the motion.

Mr. Rosiek explained that this survey is necessary to move forward with addressing safety concerns on Stoney Lonesome Road. The board discussed the potential for creating a turn-around on the east side of Route 64, with the west side being under county jurisdiction.

The motion was approved unanimously.

Amann Road Stormwater Work – Bid Acceptance

(Resolution 25-101)

Mr. Rosiek made a motion to accept a proposal for stormwater work on Amann Road from Carini Excavating in the amount of \$19,195.00 to be paid from account DB5115.4. Mrs. Roberts seconded the motion.

Cynthia Carroll inquired if this was work the highway department could do. Supervisor Moffitt explained that the highway department had not been amenable to doing this type of work, and that an easement expansion was needed to complete the necessary work. He added that the town engineer did not find the highway superintendent's suggestion to move the drainage down the road to be an acceptable solution.

The motion was approved unanimously.

Environmental Conservation Board – Appointment

(Resolution 25-102)

Mr. Dubois made a motion to appoint Michael Burke to the Environmental Conservation Board, term to expire 12/31/2025. Mrs. Roberts seconded the motion.

Supervisor Moffitt and Mr. Rosiek both commented on meeting Mr. Burke and his qualifications, noting his background as an electrical engineer and interest in outdoor activities.

The motion was approved unanimously.

Board of Assessment Review – Appointment

(Resolution 25-103)

Mrs. Carroll made a motion to re-appoint John McDonald to the Board of Assessment Review, term to expire September 30, 2029. Mr. Dubois seconded the motion.

The motion was approved unanimously.

Deputy Supervisor – Temporary Appointment

(Resolution 25-104)

Mrs. Roberts made a motion to acknowledge the supervisor's appointment of James P Merzke as deputy supervisor for the period of February 15 through February 19. Mr. Rosiek seconded the motion.

The motion was approved unanimously.

COVID-19 Paid Leave

(Resolution 25-105)

Mrs. Carroll made a motion to amend the personnel policy to approve the provision that COVID-19 related absences must use sick time. Mr. Rosiek seconded the motion.

Supervisor Moffitt explained that this change aligns with current state practice and updates the previous town board resolution that had allowed employees to not use sick time for COVID-19 absences.

The motion was approved unanimously.

Use of Athletic Fields – Approval

(Resolution 25-106)

Mr. Dubois made a motion to allow the use of the town athletic field on Semmel Road by Honeoye Falls Blaze Travel Soccer according to their regular schedule, which will be submitted to the board when completed. The certificate of liability insurance has been submitted, naming the town as a certificate holder. Mrs. Carroll seconded the motion.

The motion was approved unanimously.

Grant of Easement – Sidewalks and Utilities

(Resolution 25-107)

Mr. Rosiek made a motion to adopt the following:

GRANT OF EASEMENT FOR SIDEWALKS AND UTILITIES

THIS INDENTURE made this 10th day of February, 2025, between Joseph L. Condidorio and Roberta E. Condidorio, residing at 25 Killdeer Lane, Fairport, NY 14450 (the "Grantor"), and The Town of Mendon, New York, a municipal corporation with its principal place of business at 16 West Main Street, Honeoye Falls, County of Monroe, State of New York (the "Grantee"),

WHEREAS, Grantor is the fee owner of certain real property located in the Town of Mendon, County of Monroe, State of New York, at the address of 0 Taylor Rd., Mendon, NY 14472 (Tax Lot No. 217.03-1-1.123 (formerly part of 217.03-1-1.12)) and as more particularly shown on the map included herewith as Schedule A attached hereto and made a part hereof (said property being hereinafter referred to as the "Grantor Parcel"); and

WHEREAS, Grantee has requested that Grantor grant and convey to Grantee an easement on, under and within a portion of the Grantor Parcel so as to allow Grantee to install, construct, repair, maintain, add to, replace, and alter present or future sidewalks and appurtenant facilities, and further, for the installation, maintenance, operation, repair, and service of utilities; and

WHEREAS, Grantor is willing to grant such easement to Grantee subject to and in accordance with the terms and conditions set forth in this Grant of Easement; and

NOW THEREFORE, in consideration of the mutual covenants contained herein, one dollar (\$1.00), and other good and valuable considerations, the parties hereby covenant and agree as follows:

- 1. Grantor does hereby grant and convey Grantee an easement for the installation, construction, repair, maintenance, replacement, and alteration of present or future sidewalks and appurtenant facilities, and further, for the installation, maintenance, operation, repair, and service of utilities on, under and within the premises depicted on Schedule A and more particularly described on Schedule B, and hereinafter referred to as the "Easement Area":*
- 2. The Easement Area is to be left in its natural state and not to contain structures that would interfere with the uses identified herein.*
- 3. Grantee, its agents, employees, or other representatives may enter and inspect the Easement Area in a reasonable manner and at reasonable times to assure compliance with this Grant of Easement.*
- 4. Grantor reserves for itself, its assigns, representatives, and successors in interest with respect to the Grantor Parcel, all rights as fee owner of the Grantor Parcel, including use of the Easement Area for all purposes not inconsistent with this Grant of Easement, and the right to give sell, assign, or otherwise transfer the underlying fee interest to the Grantor Parcel by operation of law, by deed, or by indenture, subject and subordinate to this Grant of Easement.*
- 5. The failure of Grantee to enforce any of the terms contained herein shall not be deemed a waiver of any such term nor bar its enforcement rights in the event of a subsequent breach of or noncompliance with any of the terms of this Grant of Easement.*

SCHEDULE B

ALL THAT TRACT OR PARCEL OF LAND, situate in Town Lot 43, Township 11, Range 5 of the 11,000 Acre Tract, in the Town of Mendon, County of Monroe, State of New York and being more particularly described as follows:

Beginning at a point in the north right-of-way of Taylor Road, said point being 159.49 feet east of the east right-of-way of Mile Square Road;

Thence northerly on a bearing of N 32° 57' 46" E a distance of 20.00 feet to a point;

Thence easterly on a bearing of S 57° 02' 14" E a distance of 180.00 feet to a point;

Thence southerly on a bearing of S 32° 57' 46" W with a distance of 20.00 feet to a point in the north right-of-way of Taylor Road;

Thence westerly on a bearing of N 57° 02' 14" W a distance of 180.00 feet to the point and place of beginning.

Being and hereby intending to describe the 20' wide public sidewalk and utility easement to the Town of Mendon, as depicted on the Schedule A survey herein.

Mrs. Roberts seconded the motion.

Mr. Rosiek explained that this easement is at the intersection of Rush Mendon and Taylor Road, where subdivisions are planned. The planning board requested this easement to accommodate future sidewalks and utilities. He noted that it would be a shared easement, with 15 feet for the Monroe County Water Authority and 5 feet for town utilities.

Supervisor Moffitt added that the easement language had been updated from past versions and would be similar to what will be used for the Amann Road project.

The motion was approved unanimously.

Stoney Lonesome Rd Proposal - Acceptance

(Resolution 25-108)

Tom Fromberger from MRB Group presented a proposal for work on Stoney Lonesome Road. The project involves removing about 400 linear feet of road from Route 65 to the nearest driveway and creating a turn-around area. This would make Stoney Lonesome Road a dead end with access only to Quaker Meeting House Road. Mr. Fromberger outlined the necessary permits, coordination with various agencies, and potential challenges due to wetlands in the area.

The board discussed the timeline, with the goal of completing the project in 2025. Mr. Rosiek suggested authorizing the supervisor to enter into an agreement with MRB immediately to save time and ensure the project's completion within 2025.

Mr. Rosiek made a motion to authorize the supervisor to enter into an agreement with MRB once the proposal is finalized. Mr. Dubois seconded the motion.

The motion was approved unanimously.

Document Scanner - obtain vendor quotes

(Resolution 25-109)

Mr. Rosiekl explained that obtaining quotes for document scanning services would demonstrate the town's commitment to moving towards electronic records, which could support their grant application. Tom Fromberger from MRB Group confirmed that showing this progress would benefit the grant application process.

The board discussed the scope of the project, noting that it would likely take 5-10 years to digitize all town documents, including those from the highway department. They also mentioned that the average grant application is around 400 pages.

Mr. Rosiek made a motion to proceed with putting out an RFP for document scanners. Mrs. Carroll seconded the motion.

The motion was approved unanimously.

Public Comment

Rebecca Kreuzer, 8 Creekside Drive inquired about guidance or training mentioned earlier regarding ICE in the community, expressing concern for migrants who may be fearful. Supervisor Moffitt clarified that the town does not have its own police department and is covered by Monroe County. Cynthia Carroll explained that the training mentioned was specifically for library staff and not a broader town initiative.

Supervisor Moffitt acknowledged the Boy Scouts in the audience, and encouraged them to stay and ask questions if they have any.

Adjournment

(Resolution 25-110)

Mr. Dubois made a motion to adjourn the meeting at 7:59 PM. Mrs. Roberts seconded the motion.

The motion was approved unanimously, and the meeting was adjourned.