

May 15, 2017: Village Board Meeting  
**Minutes of Regular Meeting Sodus Point Village Board**

Mayor Tertinek called the regular meeting to order at 7:00 PM and led the Pledge of Allegiance.

Present: Mayor Tertinek, Deputy Mayor Kallusch Trustee Eckberg, Attorney Williams, CEO Druschel, Trustee Kennedy, Trustee McDowell and Officer Mackin

Public: 18

Absent: none

**MOTION** by Trustee McDowell and seconded by Trustee Eckberg to approve the minutes of the April 26, 2017 regular meeting.

Motion carried all voting aye.

**MOTION** by Trustee Eckberg and seconded by Trustee Kallusch to approve the minutes for the May 1, 2017 special meeting.

Motion carried all voting aye.

**MOTION** by Trustee McDowell and seconded by Trustee Eckberg to approve the minutes for the May 10, 2017 an emergency special meeting.

Motion carried all voting aye.

**Reports were given as follows:**

Mayor Tertinek- The mayor wanted to give a special Thank you to the Village of Sodus, Town of Sodus and Wayne County Highway for helping Sodus Point.

Deputy Mayor Kallusch- Fire

Trustee McDowell- Wastewater

Trustee Kennedy- Highway

Police Officer Mackin- The police department is preparing for a start date of June 24<sup>th</sup>.

Trustee Eckberg – Ambulance and Community Center

Under the current state of emergency Trustee Eckberg decided that it would be best to postpone the opening of the Tourism Center. The tentative date will now be set for Sunday, June 18<sup>th</sup> 2017.

CEO Druschel- Building report.

**Public Comments:**

Many concerns were brought up during public comments.

Wickham Blvd erosion: The County and Town will be working on Wickham Blvd.

Chuck Sergeant questioned the Fourth of July festivities. Mayor Tertinek commented that at this time he doesn't have any plans on canceling. Parking will be an issue.

“Blow Off Day” was also in question. The Board has no way of stopping this event.

Officer Mackin commented that there will be 10 times the police force this year. The police will be located in the water and on land. Parking is a concern.

Jean Hallagan reminded the Board that the County can provide signage regarding parking. Trustee Kennedy will look into replacing old and faded signs and missing signs.

## Old Business:

### A. 2017-5a Resolution

**MOTION** by Trustee McDowell and seconded by Trustee Eckberg to adopt Local Law no. 6, 2017 Whereas, the Village of Sodus Point Board of Trustees has conducted a public hearing on proposed Local Law #6 for 2017 and all public comments were received,  
It is hereby resolved that the Board of Trustees adopts said law amending Chapter 141 Property Maintenance as follows.

Section 141 Property Maintenance (Non Material Changes and Updates)

**§141-4. A. Restricted.** No person shall accumulate, store or allow any disassembled, inoperable, junked or wrecked motor vehicles, truck bodies, tractors, trailers or other motorized machines outside on any portion of their property within the Village of Sodus Point for a period exceeding 72 hours. **Residents expecting to repair, rebuild or reassemble any motorized machine shall do so in an enclosed area as to provide aesthetic pleasure for neighboring lots and other residents.**

### § 141-6. Storage of boats.

Boat storage shall comply with all sections of this chapter as well as those listed within §190. The following is considered to be mandatory;

- A. **Restricted.** No person shall accumulate, store or allow more than two boats in the open upon any public or private property within the Village for a period exceeding 72 hours. Boats must be 5 feet from adjacent structures.
- B. **Exceptions:** any business engaged in the sale, repair or storage of boats and of which is properly licensed and zoned to do so. Dry stack storage shall be done so with the requirements of the Uniform Code and §119.

§141-6 Shall now be referred to as §141-7

### § 141-7. Noxious weeds or growth prohibited.

No person shall maintain, plant or permit to remain on any private property any noxious weeds or growth totaling more than 10 inches in height.

§141-7 Shall now be referred to as §141-8

§141-8 Shall now be referred to as §141-9

### § 141-9. Notice.

If, after such investigation, it appears that there is a reasonable basis to believe that any of the provisions of this chapter have been violated, the Building inspector shall immediately cause a notice in writing to be served upon the owner or occupant of the property. Such notice shall set forth the nature of the complaint and shall direct the owner or occupant to remove said noxious weeds and growth, junk, motor vehicles or boats. The notice required under this chapter shall be served upon the owner, his executors, legal representatives, agent, lessee or any other person having a vested or contingent interest in such premises as shown by the records of the Town Assessor or of the Wayne County Clerk. Service shall be made either personally or by registered or certified mail, addressed to the last known address, if any, of the owner, his executors, legal representative, agent, lessee or other person having a vested or contingent interest in such premises as aforesaid identified. If service is made by registered or certified mail, a copy of the notice shall be posted on the premises. The notice shall contain the following:

- A. Tax Map ID #;
- B. Property Owner, their executor, legal representative, agent, lessee or other person having vested or contingent interest in such premises as aforesaid identified;
- C. The address of the property;

- D. The violation observed;**
- E. Sections of Uniform Code, and local law violations;**
- F. Any photos depicting the violations; and**
- G. A date to remedy by.**

**B. 2017-5b Resolution**

**MOTION** by Trustee McDowell and seconded by Trustee Kennedy to adopt Local Law no. 7, 2017 Whereas, the Village of Sodus Point Board of Trustees has conducted a public hearing on proposed Local Law #7 for 2017 and all public comments were received,

It is hereby resolved that the Board of Trustees adopts said law abolishing the Police Department, effective June 18, 2017

Unless a petition signed by at least 20 per centum of the electors of the Village of Sodus Point is received by June 15, 2017 protesting said local law and requesting a referendum thereon.

Motion carried

Aye votes: 4

Nay votes: 1

Resolution adopted with majority vote

**New Business:**

**A. 2017-5c RESOLUTION REQUESTING COMMENCEMENT OF LEGAL ACTION ON BEHALF OF VILLAGE OF SODUS POINT**

**WHEREAS**, the water level of Lake Ontario is at its highest point in recorded history; and

**WHEREAS**, the Village of Sodus Point, its residents and local businesses are incurring substantial damage to properties along Sodus Bay and the lakeshore and businesses are incurring substantial losses in revenue because of the flooding conditions caused by the lake level; and

**WHEREAS**, the adoption of Plan 2014 by the International Joint Commission (IJC) has substantially contributed to the damage being caused along the lakeshore; and

**WHEREAS**, all previous efforts at stopping the implementation of Plan 2014 have failed along with all efforts to request redress after the implementation of Plan 2014; and

**WHEREAS**, damage to lakeshore property is being incurred to many properties across all of the towns along the lake in Wayne County; and

**WHEREAS**, the Village of Sodus Point is of the belief that appropriate legal action is necessary to protect the Village of Sodus Point, its residents and businesses along with other affected property owners and businesses along the lakeshore of Wayne County, it is

**RESOLVED**, that the Village Board of the Village of Sodus Point hereby request that the County of Wayne immediately retain legal counsel and take the appropriate legal action against the United States of America and the International Joint Commission and any other entities as may be necessary in order to prevent further damage to the lakeshore and bays, the property and business owners along the lakeshore and bays and that until such time as a further study of the effects on the environment caused by Plan 2014 can be procured, that any litigation request an injunction against the continued implementation of Plan 2014 and that any such injunction request that the International Joint Commission revert to Plan 58DD for the regulation of the water level of Lake Ontario.

**Motion** by Trustee Kallusch and seconded by Trustee McDowell to approve the resolution requesting commencement of legal action on behalf of the Village of Sodus Point.

Resolution adopted all voting aye.

- B.** Xylem Water Solutions USA quoted a total price of \$36,819.00 to purchase 2 new Flygt Model CP-3152.181 6" submersible pumps for the main lift station. We are currently running at 50%. The price includes labor, freight and parts.

**MOTION** by Trustee Kennedy and seconded by Trustee McDowell to approve the quote from Xylem Water Solutions USA in the amount of \$36,819.70.

Motion carried all voting aye.

Trustee McDowell reported that the Wastewater department and Elliott Engineering are waiting to hear from DEC on how the Village will be required to treat the water from Maiden Lane before it is redirected back into the bay. We expect to have a decision tomorrow.

Trustee McDowell also updated the Board on the conditions and status of the sewer systems. The Board is not looking to save money but has to be willing to discuss how much we are willing to spend.

The Board agreed to continue with all expenditures currently being spent but if any additional large expenses arise another emergency meeting will be necessary.

**Treasurer:**

**MOTION** by Trustee McDowell and seconded by Trustee Kennedy to approve payment of claims 5-1 through 5-44 for a total of \$67,571.16; General/Highway \$36,270.35; Water \$16,510.96; Wastewater \$14,789.85.

Motion carried all voting aye.

**Other Business:**

Mayor Tertinek will continue to hold a weekly meeting at the Fire Department on Saturdays at 10am until further notice.

Deputy Mayor Kallusch left the meeting at 7:39pm.

**MOTION** by Trustee Eckberg and seconded by Trustee McDowell to adjourn the meeting at 7:46PM

Motion carried all voting aye.

The End of Year meeting was set for Wednesday May 31, 2017 at 4:00PM

Next scheduled regular Board meeting will be on Thursday, June 15, 2017 at 7:00 PM.

Tracy B Durham, Clerk-Treasurer