

July 20, 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, Trustee Kennedy, Trustee McDowell and CEO Druschel

Public: 4

Excused: Officer Mackin

MOTION by Trustee Eckberg and seconded by Trustee McDowell to approve the minutes of the June 15, 2017 regular meeting.

Motion carried all voting aye.

Reports were given as follows:

Mayor Tertinek- na

Deputy Mayor Kallusch- Fire

Trustee McDowell-Wastewater

Trustee Kennedy- Highway

Police Officer Mackin- na

Trustee Eckberg – Ambulance and Community Center

CEO Druschel- Building Inspectors Report

Public Comments:

No public comment

Old Business:

- A. **MOTION** by Trustee McDowell and seconded by Trustee Kallusch to approve the agreement for the Sale of Water from the Wayne County Water and Sewer Authority to the Village of Sodus Point. The contract will be effective June 1, 2017 with an initial rate of \$2.10 for wholesale and an additional rate of \$0.10 for base transmission fee.

MOTION carried.

Trustee McDowell, Trustee Eckberg, Deputy Mayor Kallusch and Mayor Tertinek all voting aye.

Trustee Kennedy abstained from the vote.

Motion passed.

- B. **MOTION** by Trustee McDowell and seconded by Trustee Kennedy to approve the Verizon Cell tower contract. The land lease agreement will be between the Village of Sodus Point and Bell Atlantic Mobile Systems of Allentown, Inc. d/b/a Verizon Wireless. The location of the land is located at no number Lake Rd. a/k/a 8120 Lake Rd. The initial term shall be for five (5) years with a total annual rental for each year of the initial term of \$18,000 to be paid annually.

Motion carried all voting aye.

New Business:

- A. **MOTION** by Trustee Eckberg and seconded by Trustee Kallusch to approve the new hire of Ashley Jones for the summer program at the community center at a pay rate of the current minimum wage.

Motion carried all voting aye.

- B. CEO Druschel advised that there is a couple living in a bus on 7539 N. Fitzhugh St. The current set-up while staying in the school bus includes a port a potty, potable water from bottles and a dumpsters. The couple plan on building a tiny home.

The current local law Chapter 125 Recreational Vehicles and Campers states:

No camper or recreational vehicle shall be occupied within the Village of Sodus Point except in approved and permitted mobile home parks or recreational vehicle parks with the exception that the temporary occupancy by family of the owner of the real property or the invited guest of the owner of the real property upon which the recreational vehicle or camper is located shall be permitted provided that the recreational vehicle or camper not be occupied in excess of 10 days in a calendar month and in no event shall a recreational vehicle or camper be utilized as a rental unit or occupied upon a lot where there is no existing, one, two multiple family residence other than in an approved and permitted mobile home or recreational vehicle park.

MOTION by Trustee Kallusch and seconded by Trustee Eckberg against making any temporary exemption to the code. Trustee Kallusch stated that the Board just approved changes to Code section 125 and feels the board should not make exceptions.

Motion carried.

Trustee McDowell abstained from the vote. He then explained that this is a specific situation because this couple was living in the house that is falling off the cliff.

The Board immediately realized this is a unique situation and agreed that should be considered a hardship.

Attorney Williams suggested that the board put a timeline on the decision.

MOTION by Trustee Kallusch and seconded by Trustee Eckberg to withdraw the previous motion of denial.

Motion carried all voting aye.

MOTION by Trustee Kallusch and seconded by Trustee Eckberg to approve a 6 month exemption expiring February 1, 2017 allowing a recreational vehicle to be occupied on the property of 7539 N. Fitzhugh St. in a special response to the flood year. This is considered a unique hardship.

Motion carried all voting aye.

- C. The Board received a request for extreme water usage forgiveness for 7430 Route 14.

This request was discussed and approved by Mark Jones, Water Dept.

MOTION by Trustee Kallusch and seconded by Trustee McDowell to approve the request and make the adjustment to this account with a new total amount due of \$859.55.

Motion carried all voting aye.

- D. The Board received a request for extreme water usage forgiveness for 7598 Third St.

This request was also discussed and approved by Mark Jones, Water Dept.

MOTION by Trustee McDowell and seconded by Trustee Eckberg to approve the request and make the adjustment to this account with a new total amount due of \$632.95.

Motion carried all voting aye.

- E. The Board received a request for tax penalty forgiveness for 7432 Route 14. The owners stated that they never received the tax bill and didn't know they had a Village tax bill to pay. The Village did not receive the returned tax bill in the mail.

The Village Board agreed that it's the homeowners responsibility to find out what they are liable for when owning a property.

MOTION by Trustee McDowell and seconded by Trustee Kallusch to deny the request for tax penalty forgiveness.

Motion carried all voting aye.

F. **MOTION** by Trustee Kennedy and seconded by Trustee McDowell to approve the renewal contract from Williamson Law Book Accounting for software support in the amount of \$1018.00.

Motion carried all voting aye.

G. **MOTION** by Trustee Kallusch and seconded by Trustee McDowell approving the certification of the petition requesting a vote on abolishing the Village of Sodus Point Police Department.

Motion carried all voting aye.

2017-7A MOTION by Trustee Kennedy and seconded by Trustee Kallusch to approve the following:
RESOLUTION TO SCHEDULE SPECIAL VILLAGE ELECTION AND TO REQUEST ASSISTANCE OF WAYNE COUNTY BOARD OF ELECTIONS TO ASSIST IN ELECTION

WHEREAS, the Village Board of the Village of Sodus Point on May 15, 2017 adopted a local law subject a permissive referendum to abolish the Village of Sodus Point Police Department; and

WHEREAS, on June 14, 2017, a petition was filed with the Village Clerk requesting that the issue of abolishing the Village of Sodus Point Police Department be submitted to a vote of the qualified electors of the Village of Sodus Point, and

WHEREAS, the Village Clerk on July 20, 2017 certified the petition requesting a vote on the issue of abolishing the Village of Sodus Point Police Department; and

WHEREAS, section 9-902 of the New York State Village Law requires that a special election on a proposition be held not less than ten nor more than sixty days after the filing of the petition; and

WHEREAS, given the timing and complexities of scheduling a special election, the Village Board of the Village of Sodus Point is requesting the assistance of the Wayne County Board of Elections in holding the special election.

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Sodus Point, in regular session duly convened as follows:

1. A special election shall be held on August 10, 2017.

2. There shall be one polling place, to wit: the Sodus Point Village Hall located at No. 8356 Bay Street, Sodus Point, New York.

3. The hours that the polls shall be open will be from noon until nine o'clock in the evening.

4. The ballot proposition to be voted on shall read as follows:

“Shall the Village of Sodus Point Police Department be abolished?”

5. That absentee ballots shall be made available through the Wayne County Board of Elections.

6. That pursuant to New York State Election Law section 15-118 there shall not be a registration day in advance of the special election.

7. That the Wayne County Board of Elections assist the Village of Sodus Point in holding the special election.

Resolution adopted all voting aye.

Treasurer:

MOTION by Trustee Eckberg and seconded by Trustee McDowell to approve payment of claims 7-1 through 7-43 for a total of \$164,089.59; General/Highway \$35,989.58; Water \$15,710.03; Wastewater \$112,389.98.

Motion carried all voting aye.

Other Business:

none

MOTION by Trustee McDowell and seconded by Trustee Kallusch to adjourn the meeting at 7:55PM
Motion carried all voting aye.

Next scheduled regular Board meeting will be on Thursday, August 17, 2017 at 7:00 PM.

Tracy B Durham, Clerk-Treasurer