

October 20, 2016: 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, Trustee McDowell, CEO Druschel, Trustee Kennedy, Officer Mackin, Attorney Williams

Public: 12

Absent: None

MOTION by Deputy Mayor Kallusch and seconded by Trustee McDowell to approve the minutes of the September 15, 2016 regular meeting.

Motion carried all voting aye.

MOTION by Trustee Kennedy and seconded by Trustee Eckberg to approve the minutes of the September 22, 2016 special meeting.

Motion carried all voting aye.

Reports were given as follows:

Deputy Mayor Kallusch- Fire

Kallusch wanted to notify the Board that he has approved the replacement vinyl to be installed on the Fire Truck by Graphix Direct in the amount of \$900.00.

Deputy Mayor Kallusch received quotes for the hanging furnace in the Fire hall.

Hawn Heating and Air Conditioning- \$3,900.00

Reznor 250,000 BTU 80%

Lagana Heating. A/C. Plumbing- \$3,900.00

Reznor 250,000 BTU and 5" chimney liner

VanErnst Refrigeration- \$3,200.00

Advanced Distributor Products 250,000 80.5%

MOTION by Trustee McDowell and seconded by Trustee Eckberg to approve and accept the quotes from VanErnst Refrigeration in the amount of \$3,200.00 for an Advanced Distributor hanging SEP250-AN heating unit.

Motion carried all voting aye.

Trustee McDowell- Wastewater

Trustee Kennedy- Highway and Water

Police Officer Mackin- Police

Trustee Eckberg – Ambulance and Community Center

CEO Druschel- Building report.

In CEO Druschel's report he requested to be considered for an increase in hours from 20 to 25 up to 30 to 35 per week so that he can continue making progress in many areas of his position. He is also asking for a medical benefit package if approved for the hour allowance increase putting the position in a "full time" status.

MOTION by Trustee Kennedy and seconded by Deputy Mayor Kallusch to approve the increase of weekly hours for CEO Kevin Druschel to a maximum of 32hours with the consideration of a benefit package.

Motion carried all voting aye.

Public Comments:

Jim Quinn owner 8239 Lake St Ext. and 7628 Fairway Drive approached the Village Board about the possibility of placing a new street light on the north side of Bayview Dr. which is Sodus Point owned. Trustee Kennedy agreed to research and contact RG&E regarding the price and likelihood of this location.

Thomas Lightfoote 8387 Bay St. attended the meetings when the plans were reviewed for the 3 unit townhouses at 8388 Bay St. In the plans the landscaping on the roadside included trees where the parking lot covers currently. Mr. Lightfoote is requesting that the Village put in a row of trees in the right of way between the sidewalk and the road. Trustee Kennedy agreed to contact the state to get permission to plant the trees.

Kathy Madison 8405 Bay St. President of the Neighborhood Assoc. would like to put up pedestrian crosswalk signs in the middle of the road at 3 locations: Wickham Blvd, Bay St. and Greig St. Trustee Kennedy will also ask about placing signs on state highways.

Ms. Madison also invited the Village Board to their NASP annual meeting on October 24th at Jacks Tavern.

Mike Jenis Lakestones Drive asked for some positive action from the Village Board regarding their services. Gale Kordzikowski, 7583 Lakestones Drive believes that Lakestones is owned by the Village. She is asking for all services to continue as they have for the past 16yrs.

In the Board Minutes from September 17, 2016 it states:

Mayor Tertinek was approached by some of the residents that live on Lakestones Drive. There has been some confusion as to whether or not this is a private drive. Attorney Williams explained to the Board that Lakestones Drive is Village owned and therefore the Village will continue to plow it.

Mayor Tertinek was not approached or contacted by the NYS Comptroller office regarding this issue but the Town of Sodus has been contacted by the Comptroller office.

Attorney Williams stated that we have a fire hydrant and the Village should plow to keep the fire lane open.

Old Business:

- A. At the September meeting Mike Perce, head of the Highway Department, gave Trustee Kennedy two quotes, one for each option for replacing the John Deere 1445 31HP diesel mower. Both included a \$6000 trade-in value. The first is a 4wheel drive front mower, \$14,083.91. The second option would be a zero-turn mower, \$2,473.08. Mr. Perce prefers the zero-turn. Trustee Kennedy tabled the purchase request. He wanted to discuss further with Mr. Perce and see if it could possibly wait until spring.

MOTION by Trustee Kennedy and seconded by Trustee McDowell to surplus the John Deere 1445 31HP with a trade-in value of \$6,000 and the purchase of a John Deere A930M Commercial ZTrak in the amount of \$8,473.08 minus the \$6,000 trade-in with a net amount due of \$2,473.08.

Motion carried all voting aye.

- B. Lakestones Drive plowing was discussed and finalized during public comments.

New Business:

A. Young Explosives sent a contract for the Independence Day fireworks display for July 3, 2017 totaling \$7,000. The Village receives 10% more fireworks at this price if the contract is signed on or before October 16, 2016.

MOTION by Trustee McDowell and seconded by Deputy Mayor Kallusch to approve the Young Explosives contract for the fireworks display on July 3rd 2017 in the amount of \$7,000.

Motion carried all voting aye.

A. The White Birch Association met with Mark Jones, Trustee Kennedy, Mayor Tertinek and Clerk-Treasurer Durham in regards to the extremely large water and sewer bill for the quarter ending September 30, 2016. The association knows they have several leaks in the system. The water charge will remain as charged but the association asked for forgiveness on the sewer portion of the bill. The majority of the leaks do not flow through the sewer lines.

MOTION by Trustee McDowell and seconded by Trustee Kennedy to make an adjustment to account 3017 for the overage charged for sewer. The amount due will be the minimum of \$100.00 for the quarter.

Motion carried all voting aye.

B. Mr. Swift, 7589 Fifth St. would like to discontinue water and sewer services effective immediately. He is asking for the payment of \$320.00 for the discontinuance fee to be approved in lieu of the current quarterly fee.

MOTION by Trustee McDowell and seconded by Trustee Eckberg to waive the Jul-Sept quarterly fees with the payment of \$320.00 to discontinue the property 7589 Fifth St. account #7057.

Motion carried all voting aye.

C. The internet speed is an issue at the Village hall and the Fire hall. The current service is 7Mx768K High Speed and we are interested in upgrading to the 15Mx2M for the Village hall and 10Mx1M for the Fire hall. Trustee McDowell would like to meet with Dennis Lewis to go over all of the services provided by Time Warner and see if there is a different option for the Village. The upgrade proposal is available until 12/12/16. Therefore, the Board tabled this until the next board meeting.

D. **MOTION** by Deputy Mayor Kallusch and seconded by Trustee Eckberg to approve the following

2016-10a Resolution

Whereas, the United States Department of Agriculture requires an OMB Circular A-133 entity-wide audit for any fiscal year in which Federal assistance debt is \$1,000,000 or greater, and

Whereas, Federal assistance for the Village of Sodus Point debt exceeded that amount in the fiscal year ending May 31, 2016

Whereas, the Village of Sodus Point Board of Trustees employed Lee Walter to perform the OMB A-133 audit of internal control over financial reporting, and

Whereas, the audit for the fiscal year ending May 31, 2016 was completed by Mr. Walter on September 21, 2016, and

Whereas, no deficiencies were disclosed and no significant or material misstatements were presented in the records for which procedures were performed for the period ended May 31, 2016,

It is hereby resolved that the Village of Sodus Point Board of Trustees acknowledges that the required audit was conducted and accepts such audit

Resolution adopted all voting aye

E. The master meter at North Bay Estates mobile park has to be replaced. The meter sits in water making it impossible for the Water Department to get the readings each quarter. The meter has to be removed to determine the actual size.

Mark Jones requested pricing on a 4" and 6" meter.

TiSales quote: Vellano quote:

4"-\$3,116.87 4"-\$2,510.00

6"-\$5,234.79 6"-\$3,981.00

MOTION by Trustee Kennedy and seconded by Trustee Eckberg to approve the quoted prices from Vellano Corp. for the replacement meter pit.
Motion carried all voting aye.

- F.** Mayor Tertinek read the quotes for tree removal at 8413 Wickham Blvd, 7559 Ontario St. and trimming at 7115 Central Ave.
Empire Tree Surgeons - \$3450.00
Don & Jon Lawn and Tree Service - \$3475.00
Trustee Eckberg also requested that 2 more trees on “The Reservation” be estimated for removal and added to the quotes. The Board would then award the job.

- G. 2016-10b Resolution** Trustee Kennedy and seconded by Trustee McDowell to approve the following Resolution:

MAKING A DETERMINATION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

WHEREAS, the Village of Sodus Point is planning to upgrade the Waste Water Treatment Plant and,

WHEREAS, to aid the Board in determining whether the Project may have a significant effect on the environment, the Sodus Point Village Board has caused to be prepared a Full Environmental Assessment Form (the “EAF”), a copy of which is on file with the Clerk of the Village of Sodus Point; and

WHEREAS, Elliot Engineering has examined the EAF in order to make a determination as to the potential environmental significance of the Project; now, therefore, be it

WHEREAS, the upgrades will not involve any substantial changes to the existing structure or facility and,

WHEREAS, the upgrades will improve the operation of the Waste Water Treatment Plant and assist in meeting current regulations and other Agency requirements

THEREFORE, the Village Board of the Village of Sodus Point determines that this is a Type II Action as defined in the State Environmental Quality Review Act, Section 617.5 (c)(1) and (2), and no further review is required.

Resolution adopted all voting aye.

H. 2016-10c Resolution

Trustee Kennedy presented the following resolution and duly moved that it be adopted and was seconded by Trustee McDowell:

BOND RESOLUTION DATED OCTOBER 20, 2016 OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF SODUS POINT, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE SEWER SYSTEM CAPITAL IMPROVEMENTS WITHIN THE VILLAGE, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the purpose hereinafter described consists of sewer system capital improvements authorized to be undertaken by the Village Board of Trustees pursuant to the Village Law;

WHEREAS, on October 20, 2016 the Village Board of Trustees has heretofore duly determined that the purpose hereinafter described constitutes a "type II" action under the State Environmental Quality Review Act of the State of New York and the applicable regulations thereunder ("SEQRA") which will not result in any significant adverse environmental impacts and such purpose is not subject to any further environmental review under SEQRA; now therefore, be it

RESOLVED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF SODUS POINT, NEW YORK (hereinafter referred to as the "Village"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Village of Sodus Point shall undertake the construction of sewer system improvements, to include upgrades at the wastewater plant, and the acquisition and replacement of equipment, machinery or apparatus, and other incidental improvements that may be required in connection therewith for such construction and Village use (hereinafter referred to as "purpose"), and general obligation serial bonds in an aggregate principal amount not to exceed \$850,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Village are hereby authorized to be issued to finance said purpose.

Section 2. The estimated aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$850,000 and said amount is hereby appropriated therefor. The plan for financing of said purpose is to provide all of such maximum cost by issuance of obligations as herein authorized.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 4 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty (30) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Village and all the taxable real property in the Village is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to statutory limitations, if any.

Section 5. It is hereby determined and declared that the Village reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, whether to authorize the receipt of bids in an electronic format, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, is hereby delegated to the Village Treasurer, the Village's chief fiscal officer. The Village Treasurer and the Village Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Village of Sodus Point.

Section 7. The faith and credit of the Village of Sodus Point, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. After compliance with Section 9 hereof, this resolution shall be published in full by the Village Clerk of the Village of Sodus Point together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Village, in the manner prescribed by law. The validity of said bonds and bond anticipation notes issued in anticipation of the sale of said serial bonds, may be contested only if such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution is subject to a permissive referendum of the qualified electors of the Village of Sodus Point, pursuant to Section 36.00 of the Local Finance Law.

The motion having been duly seconded, it was adopted and the following votes were cast:

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|-------------|-------------|
| <u>AYES</u> | <u>NAYS</u> |
| 5 | 0 |

- I. Mayor Tertinek advised the Board that the purchasing policy is not being followed correctly by most departments in the Village. The Village Clerks are spending unnecessary time tracking down information regarding invoices. Clerk Durham is requesting some form of consequence for not following the proper purchasing procedures. Trustee Eckberg wanted to make sure everyone understands the procedures. Clerk Durham will have all departments read and sign the policy. Mayor Tertinek will come up with steps and forms of consequences.
- J. The Village taxes will be collected through October 31, 2016. After that date any unpaid taxes are to be returned to Wayne County for collection. All Trustees signed the approval form to be sent back with the returned village 2016-17 taxes

Treasurer:

MOTION by Trustee Eckberg and seconded by Trustee McDowell to approve payment of claims 10-1 through 10-58 for a total of \$165,795.99; General/Highway \$103,436.70; Water \$31,499.84; Wastewater \$30,859.45. Motion carried all voting aye.

Other Business:

MOTION by Trustee McDowell and seconded by Trustee Kallusch to adjourn the meeting at 8:38PM
Motion carried all voting aye.

Next scheduled regular Board meeting will be on Thursday, November 17, 2016 at 7:00 PM.

Tracy B Durham
Clerk-Treasurer