

September 17, 2020: Village Board Meeting  
**Minutes of Regular Meeting Sodus Point Village Board**

Mayor McDowell called the regular meeting to order at 6:30 PM and led the Pledge of Allegiance.

Present: Mayor McDowell, Deputy Mayor Kallusch, Trustee DeWolf, Trustee Evans, Trustee Pitti, CEO Druschel (via Zoom), and Attorney Williams

Absent: na

**MOTION** by Trustee Kallusch and seconded by Trustee DeWolf to approve the August 20, 2020 regular meeting minutes.

Motion carried all voting aye.

Public: 5pp in attendance, 12pp via Zoom

**Reports were given as follows:**

**Mayor McDowell- Village updates, Wastewater, Highway, and Code Enforcement**

**Deputy Mayor Kallusch- Buildings**

**Trustee Evans- Ambulance, Fire, Recreation and Public Communications**

**MOTION** by Trustee Kallusch and seconded by Trustee Evans to approve the new member Christopher Ayers to Silver Waters ambulance

Motion carried all voting aye.

**Trustee Pitti- parks**

**Public Comments:**

Chris Tertinek voiced his opinion on the Village taking over the portion of Route 14 aka Greig St.

**Old Business:**

**A. 2020-9a RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF SODUS POINT  
MOTION BY TRUSTEE KALLUSCH AND SECONDED BY TRUSTEE DEWOLF  
STATE ENVIRONMENTAL QUALITY REVIEW ACT (“SEQRA”)  
DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE  
NEGATIVE DECLARATION**

**WHEREAS**, Bell Atlantic Mobile Systems LLC d/b/a Verizon Wireless (“Verizon Wireless”) proposes to amend that certain Land Lease Agreement between the Village and Verizon Wireless dated April 7, 2020 (the “Lease”), pursuant to the terms of that certain First Amendment to Land Lease Agreement (the “First Amendment”), pertaining to property located at No Number Lake Road a/k/a 8120 Lake Road, in the Village of Sodus Point, County of Wayne, State of New York, known as Tax Map No. 71119-17-023154 (the “Property”), for the construction and operation of its wireless telecommunications facility on the Property; and

**WHEREAS**, representatives of Verizon Wireless previously met with Village officials to discuss the Project and the First Amendment; and

**WHEREAS**, the Village Board of the Village of Sodus Point (the “Board”) is fully familiar with the Property and the surrounding area and previously issued a Negative Declaration for purposes of SEQRA in connection with the Lease; and

**WHEREAS**, the Project and First Amendment are unlisted actions under SEQRA and the Board is the only involved agency and, therefore, the Lead Agency; and

**WHEREAS**, the Board has reviewed the Project, the First Amendment and all other materials submitted in connection therewith.

**NOW, THEREFORE**, be it resolved by the Board that:

Based upon the Board’s thorough and careful review of the Project, the First Amendment, and all other materials submitted in connection therewith, the Board hereby determines that the Project and the First Amendment will not result in any significant environmental impacts and hereby issues a negative declaration pursuant to SEQRA.

**REASONS SUPPORTING THE NEGATIVE DECLARATION:**

1. Air, Water, Noise, Waste, Erosion, Drainage, Site Disturbance Effects: The Project will not create any adverse change in the existing air quality, water quality or noise levels, nor in solid waste production, nor potential for erosion, nor promote flooding or drainage problems. The Project will produce minimal, if any, disturbance of soil and vegetation, with minimal storm run-off.

2. Aesthetics, Agriculture, Archaeology, History, Natural or Cultural Resource, Community or Neighborhood Character: The Project will not adversely affect agricultural, archaeological, historical, natural, or cultural resources. The Project is a public utility which must be located as and where necessary to provide essential wireless telecommunications service. Although a facility of this nature will be visible, its overall visibility will be minimized to the maximum extent possible.

3. Vegetation, Fish, Wildlife, Significant Habitats, Threatened or Endangered Species. No plant or animal life will be adversely affected by the Project.

4. Community Plans, Use of Land or Natural Resources. The First Amendment and the Project is in keeping with the official community plans and goals and will have no adverse effects on land-use or the use of natural resources by or in the community.

5. Growth, Subsequent Development, etc. The Project will not induce any significant or adverse growth or subsequent development.

6. Long Term, Short Term, Cumulative, or Other Effects. The Project will not have any significant adverse long term, short term, cumulative, or other environmental effects.

7. Critical Environmental Area. The Project will not have an impact on any Critical Environmental Area as designated in 6 NYCRR, subdivision 617.14(g).

8. Public Health and Safety. The Project will have no adverse impacts on the public health. The Board recognizes that the Project will enable Verizon Wireless to provide reliable wireless telecommunications service to the Village, enabling individuals, businesses and emergency service providers access to this essential service. The Project will promote the general health, safety and welfare of the citizens of the Village by providing access to a modern, reliable system of wireless telecommunications service.

Further, the Board finds that none of the criteria for determining significance set forth in § 617.7(c)(1)(i)-(xii) would be implicated as a result of this Project.

Notice of this determination of non-significance shall be filed to the extent required by the applicable regulations under SEQRA and as may be deemed advisable by the Board.

**IN WITNESS WHEREOF**, this Resolution was properly adopted by the Board at its regularly scheduled meeting, the date of which is listed herein.

The SEQRA resolution was adopted all voting aye.

**B. 2020-9b RESOLUTION OF THE VILLAGE OF SODUS POINT VILLAGE BOARD  
MOTION BY TRUSTEE PITTI AND SECONDED BY TRUSTEE EVANS  
APPROVAL OF FIRST AMENDMENT TO LEASE FOR WIRELESS TELECOMMUNICATIONS  
FACILITY ON VILLAGE PROPERTY**

**WHEREAS**, Bell Atlantic Mobile Systems LLC d/b/a Verizon Wireless (“Verizon Wireless”) proposes to amend that certain Land Lease Agreement between the Village and Verizon Wireless dated April 7, 2020 (the “Lease”), pursuant to the terms of that certain First Amendment to Land Lease Agreement (the “First Amendment”), pertaining to property located at No Number Lake Road a/k/a 8120 Lake Road, in the Village of Sodus Point, County of Wayne, State of New York, known as Tax Map No. 71119-17-023154 (the “Property”), for the construction and operation of its wireless telecommunications facility on the Property; and

**WHEREAS**, the facility consists of space for a communications facility and tower on the Property for the installation of Verizon Wireless’ equipment and associated appurtenances (the “Project”), as more particularly shown on the Exhibit attached to the First Amendment as Exhibit “A”, which Exhibit A replaces the original Exhibit A attached to the Lease; and

**WHEREAS**, the Village Board of the Village of Sodus Point (the “Village Board”) is fully familiar with the Property and Project and previously approved the Lease by resolution; and

**WHEREAS**, the Village Board may approve the First Amendment pursuant to Village Law §1-102(1); and

**WHEREAS**, the premises to be leased to Verizon Wireless, as amended by the First Amendment, are not needed for Village purposes; and

**WHEREAS**, the Village Board has determined that entering the First Amendment is in the best interests of the Village; and

**WHEREAS**, the Village Board has previously determined, and hereby ratifies, that the rent to be paid by Verizon Wireless is of fair market value; and

**WHEREAS**, in connection with the Lease, the Village Board previously conducted a full and comprehensive single agency review of potentially adverse environmental impacts from the Project and issued a Negative Declaration pursuant to the State Environmental Quality Review Act (“SEQRA”); and

**WHEREAS**, in connection with the First Amendment, the Village Board has conducted a full and comprehensive single agency review of potentially adverse environmental impacts from the Project and the

First Amendment pursuant to the State Environmental Quality Review Act (“SEQRA”) and on September 17 , 2020 duly issued a Negative Declaration pursuant thereto; and

**WHEREAS**, the Village Board has reviewed the Project, the First Amendment and all other materials submitted in connection therewith; and

**WHEREAS**, the Village Board met on September 17, 2020 to consider the First Amendment.

**NOW, THEREFORE BE IT RESOLVED** that:

1. The Village Board hereby authorizes the Mayor to execute the First Amendment, substantially in the form presented to the Village Board, to allow Verizon Wireless to replace Exhibit A to the Lease and to construct and operate a wireless telecommunications facility and related infrastructure on the Property pursuant to the terms of the Lease as amended; and for such other terms and conditions as agreed upon by the Village and Verizon Wireless.

2. The Village Board finds that entering the Lease as amended by the First Amendment is in the best interest of the Village and surrounding community because, among other things, the Project will provide an essential service to the Village and the public in general and will have no adverse effect on the health, safety or welfare of the public.

**IN WITNESS WHEREOF**, this Resolution was properly adopted by the Village Board at its regularly scheduled meeting, the date of which is listed herein.

**VILLAGE OF SODUS POINT VILLAGE BOARD**

The lease resolution was adopted all voting aye.

**New Business:**

- A.** MOTION by Trustee Kallusch and seconded by Trustee DeWolf to approve the proposal for removal and in-kind replacement of baffle plate influent box and air header on the treatment unit in the amount of \$34,800 from Empire State Mechanical Contractors Inc. through the Capital project account.  
Motion carried all voting aye.
- B.** MOTION by Trustee DeWolf and seconded by Trustee Pitti to approve the proposal for the painting/coating of the steel treatment unit project in the amount of \$97,727 from John H Cook Jr Painting Contractor Inc. through the Capital project account.  
Motion carried all voting aye.
- C.** MOTION Trustee DeWolf and seconded by Trustee Kallusch to approve quote #46384 from A.N. Martin Systems LLC for a 6x16 Utrough auger w/ stainless steel conveyor in the amount of \$20,539.64. The delivery date is estimated between 7-9 weeks.  
Motion carried all voting aye.
- D.** MOTION by Trustee Pitti and seconded by Trustee DeWolf to approve the following  
**2020-9c Ice and Snow Agreement Resolution**  
WHEREAS, the Board of the Village of Sodus Point on September 17, 2020 makes a resolution to approve Snow & Ice Contract DO14894 between the State of New York and the Village of Sodus Point

for snow and ice control which will expire on June 30, 2025 unless further extended. The Contract will be for \$10,272 annually for 2.14 lane miles of roadway. The full resolution and contract will be filed with the original minutes.

Resolution adopted all voting aye.

- E. **MOTION** by Trustee Pitti and seconded by Trustee DeWolf to approve the purchase through Milton Cat NYS OGS contract PC 66988 of a 2021 Caterpillar 620 wheel loader with a trade allowance for 2017 JCB 541-70 telehandler net trade amount \$83,885

Motion carried all voting aye.

**MOTION** by Trustee Pitti and seconded by Trustee DeWolf to approve the following 2020-9d Resolution Appropriating Funds from the Highway Equipment Capital Reserve Fund

Whereas, the Village of Sodus Point Board of Trustees has established a capital reserve fund for highway equipment, and

Whereas, the Village of Sodus Point Board of Trustees has approved the purchase of a 2021 Caterpillar 920 wheel loader for a cost of \$83,885.

Whereas, the plan for financing of said purpose is to provide \$83,885 to be appropriated from the existing Highway Equipment Reserve Fund.

It is hereby resolved to issue a permissive referendum for appropriating \$83,885 from the highway equipment capital reserve fund for said purchase.

Resolution adopted all voting aye.

- F. On September 15, 2020 bids were opened by Costich Engineering for the REDI WA 30 Wickham Blvd and Greig Street storm water project. The results were reviewed by Costich Engineering for accuracy and completion.

The bid tabulation summary total base bid:

Villager Construction Inc 8,027,418.00

Sealand Construction Corp 7,640,000.50

Mark Cerone Inc. 7,088,741.00

**MOTION** by Trustee Kallusch and seconded by Trustee DeWolf to reject all bids under the current contract. The rebid process will be conducted after revised contract documents are available.

Motion carried all voting aye.

- G. **MOTION** by Trustee Kallusch and seconded by Trustee Evans the following resolution to

**2020-9e APPOINT SECTION 3 COORDINATOR FOR CDBG FUNDED PROJECTS**

WHEREAS, in accordance with the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, CDBG Grant Recipients shall ensure that employment and other economic opportunities generated using NYS CDBG funds shall, to the greatest extent feasible, be directed to low- and very-low income persons, particularly those who are recipients of government assistance for housing, and to business concerns that provide economic opportunities to low- and very low income persons.

WHEREAS, Grant Recipients must appoint a Section 3 Coordinator to insure compliance with requirements as outlined above; now, therefore, be it

RESOLVED, that David McDowell, Mayor, is designated to serve as Section 3 Coordinator for CDBG funded projects in the Village of Sodus Point.

Resolution adopted all voting aye.

- H. The water tower roof located on Lake Rd was damaged from wind and the weight of ice and snow that occurred on 12/16/19. Statewide Aqua store Inc. issued the Village with a quote for temporary roof repair in the amount of \$24,487.00. The Village did some research and sent a drone to provide pictures and video of the roof for current and future estimates as a baseline for reference. After this investigation it was determined that the necessary repair costs would be \$4,644.00.

**MOTION** by Trustee DeWolf and seconded by Trustee Pitti to approve the repair work to be provided by Statewide Aqua store in the amount of \$4,644.00

Motion carried all voting aye.

Clerk-Treasurer:

**MOTION** by Trustee Kallusch and seconded by Trustee DeWolf to approve payment of claims 9-1 through 9-40 totaling \$126,129.66; General \$105,554.88, Water \$11,924.47, Wastewater \$8,650.31  
Motion carried all voting aye.

Other Business

Robert DeWolf, Village Trustee submitted his formal resignation letter to Mayor McDowell and Board effective 9/30/20.

**MOTION** by Trustee DeWolf and seconded by Trustee Kallusch to adjourn the meeting at 7:40PM

Motion carried all voting aye.

Next scheduled regular Board meeting will be on Thursday, October 22, 2020 **at 6:30 PM**

Tracy B Durham  
Clerk-Treasurer