

July 18, 2019: 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, Attorney Williams, Trustee Appleby, Trustee Kallusch, Trustee Eckberg, Trustee DeWolf, CEO Druschel

MOTION by Trustee Appleby and seconded by Trustee Eckberg to approve the June 20, 2019 regular meeting minutes.
Motion carried all voting aye.

Public: 26 present

Absent: na

Reports were given as follows:

Mayor McDowell- Wastewater

Trustee Kallusch –Fire

Trustee Appleby – ATP, Lighting, LWRP, Canoe and Kayak launch

Trustee Appleby announced that the installation of the kayak launch is scheduled for the week of August 18th.

Trustee Eckberg – Ambulance & Community Center

Trustee DeWolf – Water & Highway

CEO Druschel- Building Inspector’s Report

Public Comments:

Tom Lightfoot, 8387 Bay St. reported that the Village did not receive the Historic Preservation grant.

Kathy Berretta asked if the Board had any updates regarding the Village Hall project. Mayor McDowell responded that at this time there is no change to report.

Old Business:

- A. The Village is transitioning to LED lights as part of the Wayne County Aggregated LED street-light program through NYPA. The first step is to purchase the inventory. This needs to be approved by the PSC before moving forward. NYPA is financing the entire project. When completed the project will provide substantial savings. Attorney Williams reviewed the agreement with Rochester Gas and Electric and finds it agreeable.

MOTION by Trustee Eckberg and seconded by Trustee DeWolf to approve the non-negotiable purchase price of \$187,074, which represents the fair market value of the facilities.

Motion carried all voting aye.

The Board will review the accuracy of the inventory of street poles and discuss at the August meeting.

New Business:

- A. **2019-7a** Resolution by Trustee Kallusch and seconded by Trustee DeWolf

Whereas, a public hearing on proposed Local Law No. 4, 2019 entitled amending Chapter 57 entitled “Animal Control” was conducted on July 18, 2019, and,

Whereas, suggestions were made and addressed at the public hearing,

It is hereby resolved that the following amendments should be treated as non-material changes to the proposed local law:

Section 57-5 Definitions referencing wildlife to include fowl living

Section 57-6 Prohibited acts add

(11) Deposit waste or urinate on the private property of another who does not have knowledge of the dog’s presence thereon and does not assent thereto.

Section 57-9 Complaint of violation; appearance tickets; enforcement; fees

(c) add Wayne County Sheriff and NY State Police to the Sodus Point Police department.

Resolution adopted all voting aye.

- B.** Matt Vanderbrook of Green Spark Energy presented to the board and residents an opportunity to offset its electric purchase through a new solar farm which will be located on Boyd Road in Sodus. The Village would be the anchor tenant. First-year net savings will be \$8,800 with an estimated 20-Year Savings at 1.5% Energy Escalation \$133,066. This is the company the town of Williamson has been working with for some of their municipal solar installations. Trustee Appleby has contacted Williamson and they have not had any issues with Green Spark. The Board will consider and bring to the August meeting.
- C.** Mary Austerman, NY Sea Grant and Jayme Thoman, Genesee/FL Regional Planning council began work on the Post-Flood Recovery Building workshop back in August 2018 and presented the findings and recommendations to the Village Board at the board meeting. The full report is available on the Soduspoint.info website.
- D.** John Reynolds requested the Village board consider the rezoning of his newly acquired property at 7936 Lake Road along with the two properties to his west, 7924 and 7920 Lake Road from “R” to “LCR”. Ann Hayslip, Planning Chair sent a letter to the Village Board advising that the Planning Board recommended the approval of the rezoning of all 3 properties. In addition, the Planning Board would also like to see the water plant rezoned to “Public”. MOTION by Trustee Eckberg and seconded by Trustee Appleby to move to initiate the process of rezoning accepting the recommendations of the Planning Board. Motion carried all voting aye.
- E.** Hart Environmental Science & Planning, LLC proposed scope of work for the Sodus Point Beach Resiliency Project. The proposed scope of work is to evaluate extent of beach loss using existing data sources (digital orthoimagery and LiDAR elevation data) in comparison to rough beach shoreline and elevation data. The Village will provide a shoreline location during relatively low wind conditions which will establish the shoreline location at a known Lake elevation per the NOAA lake level gauge reading at the time the shoreline location was collected.

Three project proposals will be described: one involving retrieval of nearshore sand by mechanical means; a second based on use of sand in the shoal near the Coast Guard Station; and a third based on trucking sand from off-site commercial sand operations. The total cost for listed professional services \$3,200 add \$900 for optional field visit and data collection. MOTION by Trustee DeWolf and Trustee Appleby to approve the agreement for professional services from Hart Environmental Science & Planning, LLC. Motion carried all voting aye.

- F.** MOTION by Trustee Appleby and seconded by Trustee DeWolf to enter into a Memorandum of Understanding agreement with the County of Wayne
- WHEREAS, Wayne County owns and operates the Sodus Point Park and restroom facility located at the east end of Wickham Blvd in Sodus Point; and
- WHEREAS, the Park is staffed with Buildings and Grounds seasonal staff from Memorial Day until Labor Day; and
- WHEREAS, the Concessions facility and Lifeguards end their operations before Labor Day, and
- WHEREAS, the Parks staff open the restroom facilities daily between Memorial Day and Labor Day at approximately 7:00 am and close these facilities at approximately 7:00 pm; and
- WHEREAS, the Village of Sodus Point has requested that the restroom facilities stay open no later than October 28th to serve local visitors.
- NOW, THEREFORE, it is understood and agreed between the Wayne County and the Village of Sodus Point, as follows:
- After Labor Day, the Village of Sodus Point will open the restroom facility at 7:00 am and close it at 7:00 pm daily. The Village of Sodus Point will also provide periodic inspections of the facility to guard against vandalism and ensure cleanliness.
- The Village of Sodus Point will provide, at its own expense, and replenish all consumables (toilet paper, paper towels, hand soap, etc) that are required after Labor Day weekend.
- The Village of Sodus Point will provide daily cleaning and trash removal.
- The Village of Sodus Point will be responsible for all damages to or repairs needed for the restroom facilities after Labor Day weekend, and shall indemnify the County of Wayne and hold the County harmless with respect to such damages or needed repairs after Labor Day Weekend.

The Village of Sodus Point shall contact the County Public Works Superintendent of any damage or need for repairs as soon as the Village becomes aware of the problems.

The Village of Sodus Point will be responsible for any injuries caused by negligence of the Village that occur within the restroom facilities after the Labor Day weekend, and the Village shall indemnify the County of Wayne against any loss or liability with respect to any injuries which may occur within the facilities.

This MOU can be renewed annually. This MOU can also be terminated by either party with 7 days written notice.

Motion carried all voting aye.

G. MOTION by Trustee Kallusch and seconded by Trustee DeWolf to approve the professional services of Lee Walter which include auditing the financial statements for the fiscal year ending May 31, 2019. The fees for the services are not to exceed \$7,500.

Motion carried all voting aye.

H. MOTION by Trustee Eckberg and seconded by Trustee DeWolf to approve the ALS-BLS Joint Prehospital Billing Agreement with Wayne County Advanced Life Support Services.

The fee with the new agreement will now be \$100 flat fee for the ALS-BLS assist.

Motion carried all voting aye.

I. MOTION by Trustee Appleby and seconded by Trustee Eckberg to approve the Annual Software Support Contract with Williamson Law Book in the amount of \$1059.00 for the Municipal Accounting & Budget Preparation Software.

Motion carried all voting aye.

J. MOTION by Trustee DeWolf and seconded by Trustee Kallusch to approve the following resolution

Resolution 2019-7a Immediate Review of Plan 2014 By the Great Lakes Adaptive Management Committee

WHEREAS, the United States of America and Canada are the applicants on the St. Lawrence Power Project as well as the Parties to the Boundary Waters Treaty. The International Joint Commission (IJC) seeks the views and concurrence of the United States and Canada on the matter of amending the Order of Approval for the St. Lawrence Power Project (Docket No. 67 and 68); AND

WHEREAS, the IJC submitted its conclusions on the matter of regulating Lake Ontario and St. Lawrence River levels and flows in a spirit consistent with the Boundary Waters Treaty, named Plan 2014; AND

WHEREAS, the Plan 2014 will respect the order of precedence of uses specified in the Boundary Waters Treaty of 1909, while protecting interests that may be harmed by regulation;

WHEREAS, Canada and the United States of America both agreed to Plan 2014 after consulting with the State of New York; AND

WHEREAS, the development of Plan 2014 was based on science and on the principles and objectives of the Great Lakes Water Quality Agreement;

WHEREAS, the Plan 2014 would be expected to mitigate much of the harm done by the existing regulation to the shoreline environment, while striving to maintain the benefits to other interests and users throughout the system; AND

WHEREAS, the IJC recommended that governments and the Commission's Lake Ontario-St. Lawrence Board adopt an adaptive management strategy so Plan 2014 performance can be tracked and evaluated;

WHEREAS, the shoreline and shoreline property owners of Lake Ontario are being adversely impacted with greater frequency of hydrological detorment since the implementation of Plan 2014; AND

WHEREAS, the Plan 2014 establishes a fifteen-year review cycle but can be amended by demonstration of need; AND

WHEREAS, the Great Lakes Adaptive Management program and Lake Ontario Area Management Plan (LAMP) are in the process of reviewing the NY Great Lakes Interim Action Agenda Items that can aid in improving the mitigation, preservation, and resiliency management of the shoreline of Lake Ontario.

THEREFORE, BE IT RESOLVED, that the Village of Sodus Point and its Trustees hereby calls upon the Great Lake Adaptive Management Committee to immediately enter into a performance evaluation of Plan 2014 and develop strategies to influence the function of the Action Agenda and present the findings to the IJC and public on an amended schedule by December 31, 2019

Resolution adopted all voting aye.

- K. The highway department received quotes for a 1.5CU YD tornado poly hopper installed salter
Davis Equipment Center Inc. \$4,654.00
Rob's Country Collision Inc. \$5,525.00
MOTION by Trustee Kallusch and seconded by Trustee Eckberg to approve the estimate from Davis Equipment Center Inc. in the amount of \$4,654.00
Motion carried all voting aye.

Treasurer:

MOTION by Trustee Kallusch and seconded by Trustee DeWolf to approve payment of claims 7-1 through 7-56 for a total of \$101,185.83; General/Highway \$56,042.43; Water \$15,610.54; Wastewater \$29,532.86.
Motion carried all voting aye.

Other Business:

The Pro Am fishing tournament is in town for the weekend.

MOTION by Trustee Eckberg and seconded by Trustee Kallusch to adjourn the meeting at 8:23PM
Motion carried all voting aye.

Next scheduled regular Board meeting will be on Thursday, August 15, 2019 **at 6:30 PM**

Tracy B Durham Clerk Treasurer