

June 15, 2023- Village Board meeting

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

Present: Mayor McDowell, Deputy Mayor Kallusch, Trustee Evans, Trustee Verbridge and Attorney St. Martin

Zoom: CEO Druschel, Trustee Bristol

Public Present at call to order- 15 via Zoom and 10 physically present

**MOTION** by Trustee Verbridge and seconded by Trustee Evans to approve the May 25, 2023, regular meeting minutes making the amendment of removing all names from the public comments section.

Motion carried all voting aye.

Reports were given as follows:

**Mayor updates:**

**Water Level –**

Our current water level is 246.78, down almost 6 inches in the last 3 weeks. This decline is far faster than expected and is in part caused by little rain. Outflows are being set by Plan 2014 which looks back 12 months to consider the supply.

**Verizon Tower –**

The tower is operational and anyone using the Verizon network should be getting much better service.

**Sea Grant –**

The contract has now been signed. An RFQ is being drafted to identify interested firms for review.

**Mark Jones Sr Park –**

The contractor has been notified and is expected to begin the work soon.

**Great Lakes St. Lawrence Cities Initiative –**

I attended the General Meeting of the Great Lakes St Lawrence Cities Initiative last Wednesday and Thursday with more than 65+ other towns and villages from around the great lakes. Much of the conference was regarding taking climate actions. Most communities are struggling with staffing such an initiative. Those that have been successful have done so in specific pockets of work. I did come away with a couple of contacts that may be able to help with our water system study.

I spoke on a panel moderated by Heather Stirratt, Director of IJC with Ania Bayers, Program Manager, Coastal Natural Program, Illinois, and Brigadier General Kimberly Peebles, USACE. The topic of the session was the USACE Coastal Resiliency Study of the Great Lakes which is just getting underway. This 5-year study will include public input sessions around the basin and is expected to lead to a plan for addressing the Great Lakes resiliency in a more coordinated fashion. More will follow as this takes off.

**Home Rule – Golf Carts –**

We were not successful this year in making this happen. We are the only village that has tried to do this and that made many nervous. There is also a requirement that our motion must be made within 6 months of the action by the committees. This was not known until the last day to submit some required papers. Next January we will review this again and pass a motion if the desire is still there. In the meantime, I will reach Sackett's Harbor. They were trying to piggyback on our request and did not get any paperwork submitted.

**Parking Enforcement–**

Now that we have someone on staff to address this issue, I wanted to lay out a brief plan for this summer. Gary has both our current code as well as the report from the Genesee Transportation Study conducted last summer. He will be using that information to start making observations and speaking with people to gain an understanding of why they are parking as they are. The goal this summer is to collect enough information to recommend a balanced update to the parking code as well as a work plan for what that means. What signs are needed, what signs need to be removed, what signs need to be changed. Also, what is the process with the Sodus Town Court and with other law enforcement. He does not plan to issue any tickets in 2023 but he will

address people based on observations. He will work up to 20 hours per week at \$18/hour. This is in our 2023-24 Budget.

**Asher Warner Ceremony –**

Tuesday, January 20 at 5pm a ceremony will be held to honor Private Asher Warner, the first soldier killed in Sodus Point. This has been organized by Nancy Karasinski in consultation with our historian. Members of the Coast Guard and our local legislators have been invited. The ceremony will be held on Greig Street at the site of the monument in his honor

**Reports were given as follows:**

Mayor McDowell- - Building Inspector's, Water, Wastewater

Deputy Mayor Kallusch- Parking/PD,

**MOTION** by Trustee Bristol and seconded by Trustee Verbridge to accept John Smith as a new Silver Waters Ambulance member.

Motion carried all voting aye.

Trustee Evans- Communications, Remote policy

Trustee Verbridge – Planning, Parks, CEC, Traffic calming

Trustee Bristol – Highway, Ambulance, Fire

**All reports are filed with the details and backup for the meeting in the Village office.**

Public Comments:

**All meeting contents can be viewed on the Village of Sodus Point YouTube channel.**

Old business:

A.

**MOTION** by Trustee Verbridge and seconded by Trustee Evans to approve the following

**Resolution 6a-2023**

**Village of Sodus Point Policy for Remote Meeting Procedure**

WHEREAS, the Village of Sodus Point is governed by the Article 7 of the Public Officers Law (100 - 111) (“Open Meetings Law” (OML)) which outlines the requirements for meetings conducted by public bodies, which includes the Village Board of Trustees of Sodus Point, as well as its committees and sub-units;

WHEREAS, as of April 9, 2022 the previous videoconferencing provisions found in Public Officers Law 103(c) were removed, and public bodies wishing to conduct meetings via videoconference must now comply with the new requirements of Public officers Law section 103 – a;

WHEREAS, Public Officers Law 103-a(2) authorizes public bodies to conduct meetings using videoconference technology in their discretion, so long as a quorum of the public body is physically present at one of more of the locations where the public can also attend in person;

WHEREAS, as of February 14, 2023 the public body must establish written procedures governing member and public attendance consistent with this section, and such written procedures shall be conspicuously posted on the public website of the public body;

WHEREAS, the Village of Sodus Point wishes to adopt rules to permit meetings to be open to the public via video-conferencing, provide for the public body to meet by video-conferencing if necessary due to extraordinary circumstances, and provide procedures for effective, fair and open meetings;

THEREFORE, IT IS HEREBY RESOLVED by the Village Board of Sodus Point that the following Rules for Electronic Remote meetings are hereby adopted:

1. Remote meeting by electronic means authorized. The Board, any of its sub-units, or any specific member of the Board, may meet remotely by electronic means when cause for doing so exists, such as, but not limited to, natural disasters, severe or harsh weather events, risks of infectious disease(s), war, riot or other extraordinary circumstances. The presiding officer of the body may determine when a remote meeting shall be utilized, or a majority of the Board may so determine at a legally convened and noticed meeting of Board.
2. Login information. The Clerk shall send by e-mail to every member of the Board, and by Open Meetings Law send notice to the public at least 72 hours prior to the time of the meeting, the URL and codes necessary to connect to the Internet meeting service, and, as an alternative and backup to the audio connection included within the Internet service, the phone number and access code(s) the member needs to participate aurally by telephone. The Clerk may also include a copy of, or a link to, this policy.
3. Login time. The Clerk shall schedule Internet meeting service availability to begin at least 15 minutes before the start of each meeting.
4. Signing in and out. Members shall identify themselves as required to sign into the Internet meeting service and shall maintain Internet and audio access throughout the meeting whenever present but shall sign out upon any departure before adjournment.
5. Quorum calls. If conducting a virtual meeting due to extraordinary circumstances as set forth above, the presence of a quorum shall be established by audible roll call at the beginning of the meeting. Thereafter, the continued presence of a quorum shall be determined by the online list of participating members, unless any member demands a quorum count by audible roll call.
6. Technical requirements and malfunctions. Each member is responsible for his or her audio and Internet connections; no action shall be invalidated on the grounds that the loss of, or poor quality of, a member's individual connection prevented participation in the meeting.
7. Assignment of the floor. To seek recognition by the presiding officer, a member shall indicate by a virtual hand raise or by the method appropriate to the Internet meeting service being used. Upon assigning the floor to a member, the presiding officer may clear any online queue of members who had been seeking recognition. To claim preference in recognition, another member who had been seeking recognition may promptly seek recognition again, and the presiding officer shall recognize the member for the limited purpose of determining whether that member is entitled to preference in recognition.
8. Interrupting a member. A member who intends to make a motion or request that under the rules may interrupt a speaker shall use the "chat," or similar feature, for the meeting service in use to so indicate,

and shall thereafter wait a reasonable time for the presiding officer's instructions before attempting to interrupt the speaker by voice.

9. Display of documents. All documents that will be reviewed and/or acted on for the virtual meeting should be presented to the board 72 hours before the meeting.

10. Voting. Votes shall be taken by audible roll call or, when practicable within the meeting service platform, by electronic roll call. The presiding officer's announcement of the voting result shall include the number of members voting on each side of the question and the number, if any, who explicitly respond to abstain or acknowledge their presence without casting a vote. Business may also be conducted by unanimous consent.

11. Video display. The board will be all visible via the camera in the Village meeting room.

12. Meeting etiquette:

- a. Members will be in responsible for muting/unmuting themselves.
- b. Members must stay muted when NOT speaking.
- c. No side conversations should be held in the "chat box," only official business.
- d. Identify yourself prior to speaking.
- e. Any "Chat" function use is Public Record
- f. Etiquette for videoconference meetings will be posted on the public website

13. Public attendance and participation:

- a. Public Comments for remote meetings will be clearly outlined in the agenda.
- b. Attendees will be responsible for muting/unmuting themselves.
- c. Attendees must stay muted when NOT speaking.
- b. All meetings will be recorded and the recording made publicly available on social media or the public website within 24 hours.
- c. This policy should not be used where NYS Law requires a hearing unless the Board can determine a means for public access to documents, exhibits, maps and/or testimony or statements substantially similar to an in- person hearing, or as may otherwise be permitted by law.

Resolution adopted all voting aye.

- B. **MOTION** by Trustee Verbridge and seconded by Trustee Evans to approve the salary of \$18.00 for up to 20 hours for the employment of Gary Grey. The scope of work for the 2023 season will be assessing the parking policy and gathering information to make the proper updates to the Village code regarding parking. No tickets will be given from this position. The Wayne Co. Sheriffs office will work with Sodus Point to issue tickets.

Motion carried all voting aye.

New business:

- A. **MOTION** by Trustee Kallusch and seconded by Trustee Bristol to approve the following  
**Resolution 2023-6b**

RESOLVED, that the Sodus Point Village Board will hold a Public Hearing to discuss community development needs and the possible submission of one or more Community Development Block Grant (CDBG) applications for the 2023 program year; and be it further  
RESOLVED, that the public hearing will be held on July 20, 2023 at 6:15 PM at the Sodus Point Village Hall, 8356 Bay Street, Sodus Point.  
Resolution adopted all voting aye.

- B. MOTION** by Trustee Verbridge and seconded by Trustee Evans to approve the 2023-24 EMS Staffing Inc contract for staffing services.  
Motion carried all voting aye.

- C. MOTION** by Trustee Verbridge and seconded by Trustee Bristol  
**2023-6c 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 2023 SCAG Cheetah mower 61inch w/ 38HP for \$12,499.00

It is hereby resolved to issue a permissive referendum for appropriating \$12,499 from the highway equipment capital reserve fund for said purchase.

Motion carried all voting aye.

- D.** The highway department requested bids for brush grinding. The bids received within the proper timeframe and specs are as follows:  
Empire Enterprises JKB Inc. \$ 9,850.00  
The amount is notably higher than last year and will put the Shade Tree budget at a minimum for the new budget year. The decision was made to move forward after the board discussed any other options.  
**MOTION** by Trustee Verbridge and seconded by Trustee Evans to approve contract # 06062023 from Empire Enterprises JKB for grinding of green waste.  
Motion carried all voting aye.

- E. MOTION** by Trustee Evans and seconded by Trustee Bristol to surplus the following equipment.

ASSET DESCRIPTION	CONDITION CODE	REASON FOR DISPOSAL CODE	METHOD OF DISPOSAL CODE	AGE OF ASSET (YEARS)	DATE OF DISPOSAL	SURPLUS VALUE
John Deere 930 M 2016	F	B	TI	7	6/1/2023	1800
sewer cleaner	F	R	T		6/1/2023	unknown
*SOLD/DONATED TO:			*SALE PRICE			
RECOMMENDED BY:	Brad Geffert					
	DATE					
APPROVED BY BOARD						
<b>CONDITION CODE</b>	<b>REASON FOR DISPOSAL CODE</b>		<b>RECOMMENDED METHOD OF DISPOSAL CODE</b>			
P-POOR	B-BEYOND ECONOMIC REPAIR		C- COMPUTER RECYCLE			
F-FAIR	O-OBSOLETE		S-SCRAP			
G-GOOD	R-REPLACED BY UPGRADE		D-DONATED		DT- DISPOSE/TRASH	
E-EXCELLENT			TI-TRADE-IN		T- TENDER/SOLD	

- F.** CEO Druschel requested quotes to replace the handicap ramp at the Community Center entrance.  
Wickham House Handyman \$5,000.00  
General Maintenance Assistance \$ 9,850.00  
**MOTION** by Trustee Verbridge and seconded by Trustee Evans to approve the quote from Wickham House Handyman for \$5,000.00  
Motion carried all voting aye.
- G.** The Mayor explained the series of events that happened regarding the parking along Sentell Street. He expressed the concern of Sodus Point employees of the risks of allowing parking along Sentell St. Trustee Verbridge and Bristol discussed an opposing outlook.  
**MOTION** by Trustee Verbridge and seconded by Trustee Evans to allow parking for the 2023 summer season from the stop sign relocation point to where the driveway of Sodus Marina starts on Sentell St.  
Motion carried all voting aye.

**H.** Business Council committee -there was a general discussion regarding a business council and who would be in charge of running it. The Board then moved the discussion to discussing water rates, and rate payers. The Mayor explained that the consultant would observe all potential improvements and amendments needed.

Clerk-Treasurer

**MOTION** by Trustee Verbridge and seconded by Trustee Evans to approve claims 6-1 through 6-65 totaling \$389,778.44: General \$339,005.81, Water \$28,736.84 and Wastewater \$22,035.79

Motion carried all voting aye.

**Other business:**

Public meeting to discuss the water system

June 28<sup>th</sup> 2023 at the firehall at 7:00pm.

**MOTION** by Trustee Verbridge and seconded by Trustee Bristol to move to executive session at 8:09pm to discuss litigation and a real estate offer with possible action being taken.

Motion carried all voting aye.

**MOTION** by Trustee Evans and seconded by Trustee Bristol to adjourn executive session and move back to the regular meeting at 8:40pm

Motion carried all voting aye.

**MOTION** by Trustee Kallusch and seconded by Trustee Bristol to decline an offer to purchase a parcel of property on Cook Street off of Sentell Street.

Motion carried and approved

Mayor McDowell, Trustee Kallusch, Trustee Evans and Trustee Bristol voted aye

Trustee Verbridge abstained

Resolution 2023-6d

**MOTION** by Trustee Bristol and seconded by Trustee Verbridge to approve the following

Village of Sodus Point, Wayne County, New York

**A RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF SODUS POINT AUTHORIZING THE EXECUTION OF THE LEGAL SERVICES AGREEMENT RELATED TO PFAS LITIGATION SERVICES**

**WHEREAS**, the Village of SODUS POINT (the Village) is committed to delivering clean drinking water to its customers: and

**WHEREAS**, the Village is also committed to identifying parties and taking reasonable steps to avoid passing on the costs to its consumers for the treatment and remediation of contamination: and

**WHEREAS**, LAW OFFICE OF ROBERT KING, PLLC AND STAG LIUZZA, LLC has put together a team of uniquely qualified and experienced attorneys (the Firm) who have joined together to assist public entities facing the challenges posed by contamination with per- and polyfluoroalkyl substances (PFAS); and

**WHEREAS**, the Firms are comprised of experienced attorneys in both in PFAS litigation and in representation of public entities and water suppliers in cases involving groundwater contamination; and

**WHEREAS**, the Village Board has determined it to be in the Village's best interest to enter into the Agreement with the Firms and pursue any claims it may have related to PFAS; and

**WHEREAS**, the Village desires to authorize the execution of the Retainer Agreement with the Firms;

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Village Board of the Village of SODUS POINT, County of WAYNE, State of New York that the Mayor is hereby authorized to execute the Legal Services Agreement, and any other needed forms with the previously mentioned Firms  
Resolution adopted all voting aye.

**MOTION** by Trustee Kallusch and seconded by Trustee Evans to adjourn the meeting at 8:44pm  
Motion carried all voting aye.

The next scheduled regular Board meeting will be Thursday, July 20, 2023 at 6:30pm.

Tracy B Durham  
Clerk-Treasurer