Supervisor Barbeau called the regular meeting to order at 7:00 PM followed by the pledge to the flag and approval of the minutes of the meeting of August 10, 2017 on MOTION by Councilman Armitage and seconded by Councilman Stella and passed unanimously.

**PUBLIC HEARING -**

**Special Use Permit – Charles & Denise Hull, 9460 Warsaw Road** – Supervisor Barbeau read the following notice of public hearing:

Please take notice that the Town Board of the Town of LeRoy will hold a public hearing regarding special use permit previously issued to Charles and Denise Hull, 9460 Warsaw Road, LeRoy NY to harbor more than the permitted code of four (4) dogs. Said hearing will be held at the LeRoy Town Hall, 48 Main Street, LeRoy NY on Thursday, August 24, 2017 at 7:00 PM.

By Order of the Town Board, Patricia A. Canfield Town Clerk

Supervisor Barbeau explained the permit was previously issued in 2008 and complaint was received in 2016 with neither party able to reach resolution followed by Town Board action to hold a public hearing. Public hearing was opened for comments:

Jeff Freeman, 9456 Warsaw Road – Mr. Freeman stated the dogs habitual barking has been the issue and problem for his family. He has contacted law enforcement and wanted a ticket issued to neighbors.

Charles Hull, 9460 Warsaw Road – Mr. Hull responded they have tried to work with neighbors on the issue, have asked for phone calls if there is a problem, and have installed privacy fencing to reduce disturbance. No citations have been issued by law enforcement to date.

Denise Hull, 9460 Warsaw Road – Mrs. Hull thanked the neighbors who have supported them and feels they have done what was asked of them to correct the problem. Also added they do not want their permit revoked or have the animals taken away from them and feels they didn’t receive fair treatment.

Debra Johnson, 7085 Cole Road – Stated the dogs are in the barn on the weekend and isn’t disturbed by any barking.

Lauren Hull, 9460 Warsaw Road – Lauren added that she has trained and shown the dogs as a career and feels they have tried to work with the neighbors.

Jason Everett, 9556 Warsaw Road – Stated he walks past the house and doesn’t see a problem. Dogs are fenced and if barking will quiet down.

Public Hearing was closed for public comments.

Supervisor Barbeau - Addressed Mr. Freeman and Mr. and Mrs. Hull that the board was hopeful after the meeting of June 22, 2017, that both parties could reconcile issues. Explained the town board acts a legislative body and not judicial and would not act in determining a case between two neighbors. Violations would be handled by law enforcement with potential for court summons on any complaint.

Councilman Stella – Asked how many dogs were at the residence and their ages?

Councilman Armitage – Asked if they had any intention of adding more dogs to their residence?

Councilman Paddock – Addressed that the owners have had a litter of puppies and kept three of those for their family. He has contacted law enforcement.

Charles & Denise Hull, 9460 Warsaw Road – They have worked with neighbors on the issue and their ages?

Addressed Mr. Freeman and Mr. and Mrs. Hull that the board was hopeful after the meeting of June 22, 2017, that both parties could reconcile issues. Explained the town board acts a legislative body and not judicial and would not act in determining a case between two neighbors.

Violations would be handled by law enforcement with potential for court summons on any complaint.

RESOLVED, the Town Board of the Town of LeRoy authorizes the Special Use Permit, initially approved on October 9, 2008, to continue and remain in place for Charles & Denise Hull, 9460 Warsaw Road, LeRoy NY to allow more than four (4) dogs, as permitted by code, at their residence located at 9460 Warsaw Road, LeRoy NY with the inclusion of the following amendment listed below.

**Amendment to Special Use Permit – Charles & Denise Hull, 9460 Warsaw Road** – On MOTION by Councilman Armitage and seconded by Councilman Paddock and passed unanimously with voting as follows: Council Armitage, Duyssen, Paddock, Stella and Supervisor Barbeau – aye the following RESOLUTION: [51]

RESOLVED, the Town Board of the Town of LeRoy authorizes the following amendment to above Special Use Permit as follows:

1. No more than thirteen (13) dogs over the age of six (6) months may be maintained.
2. Litters from said dogs must be dispersed within sixteen (16) weeks.
NEW BUSINESS:
1. MCWA – Easements (2) –
   a) Frederick and Renee Johnson – 9308 & 9310 Asbury Road –
      On MOTION by Councilman Stella and seconded by Councilman Duyssen and passed unanimously with voting as follows: Council Armitage, Duyssen, Paddock, Stella and Supervisor Barbeau – aye the following RESOLUTION:
      
      Approval of Acquisition of an Easement by the Monroe County Water Authority Pursuant to §1096(6-a) of New York’s Public Authorities Law
      
      WHEREAS, the Monroe County Water Authority (“Authority”) is responsible for the existing water main that provides water service to 9308 & 9310 Asbury Road located, in the Town of LeRoy; and
      
      WHEREAS, the acquisition of one (1) easements is necessary for the operation, maintenance and future replacement of the water main; and
      
      WHEREAS, the easement is located along the frontage of 9308 & 9310 Asbury Road (Tax Acct. No. 31.1-137 and 31.1-137.1), which is owned by Frederick F. Johnson and Renee Johnson, and is approximately 465’ x 15’ across the entire frontage, and
      
      WHEREAS, the acquisition is necessary to allow for the operation, maintenance and future replacement water main which will allow the Water Authority to continue to provide potable water supply and fire protection to this property and the property owner has agreed to voluntarily grant the easement to the Water Authority; and
      
      WHEREAS, §1096(6-a) of New York’s Public Authorities Law requires the Water Authority to obtain the prior approval of the above-referenced acquisition by the Town Board.
      
      NOW, THEREFORE, let it be RESOLVED, that the Town hereby approves of the Water Authority’s voluntary acquisition of easement over 9308 & 9310 Asbury Road in accordance with §1096(6-a) of the New York Public Authorities Law and be it further RESOLVED, that a copy of this resolution be provided to the Monroe County Water Authority.

   b) Michael Keller - 9315 Asbury Road –
      On MOTION by Councilman Armitage and seconded by Councilman Stella and passed unanimously with voting as follows: Council Armitage, Duyssen, Paddock, Stella and Supervisor Barbeau – aye the following RESOLUTION:
      
      Approval of Acquisition of an Easement by the Monroe County Water Authority Pursuant to §1096(6-a) of New York’s Public Authorities Law
      
      WHEREAS, the Monroe County Water Authority (“Authority”) is responsible for the existing water main that provides water service to 9315 Asbury Road located, in the Town of LeRoy; and
      
      WHEREAS, the acquisition of one (1) easements is necessary for the operation, maintenance and future replacement of the water main; and
      
      WHEREAS, the easement is located along the frontage of 9315 Asbury Road (Tax Acct. No. 31.1-125), which is owned by Michael J. Keller, and is approximately 150’ x 15’ across the entire frontage, and
      
      WHEREAS, the acquisition is necessary to allow for the operation, maintenance and future replacement water main which will allow the Water Authority to continue to provide potable water supply and fire protection to this property and the property owner has agreed to voluntarily grant the easement to the Water Authority; and
      
      WHEREAS, §1096(6-a) of New York’s Public Authorities Law requires the Water Authority to obtain the prior approval of the above-referenced acquisition by the Town Board.
      
      NOW, THEREFORE, let it be RESOLVED, that the Town hereby approves of the Water Authority’s voluntary acquisition of easement over 9315 Asbury Road in accordance with §1096(6-a) of the New York Public Authorities Law and be it further RESOLVED, that a copy of this resolution be provided to the Monroe County Water Authority.

COMMITTEE REPORTS:
Highway Dept:
Highway Supt. Stauffer reported:
- Plow Truck with package is still available for purchase through Kenworth Northeast Dealer

Authorization to Purchase 2017 Kenworth T800 Tandem Axle Cab/Chassis with Plow and Dump Body -
On MOTION by Councilman Armitage and seconded by Councilman Paddock and passed unanimously with voting as follows: Council Armitage, Duyssen, Paddock, Stella and Supervisor Barbeau – aye the following RESOLUTION:

RESOLVED, the Town Board of the Town of LeRoy authorizes Highway Supt. Stauffer to purchase a 2017 Kenworth Plow Truck T800 with Henderson Package T800 Tandem Axle Cab/Chassis with Plow and Dump Body with extended warranty and salter for purchase price of $238,166.
Village:
Trustee Bob Taylor reported:
- Village Board walked Mill, Bacon and Pleasant Streets with discussion on the proposed apartment complex by DePaul on Mill Street. Proposed project is on hold due to a preservation issue.
- Village Board has received a verbal purchase offer for the property located at Route 5 & 19 formerly the Wiss Hotel.

Building:
Supervisor Barbeau will contact Terry Kanaley to obtain an updated HVAC contract from Isaac.

Insurance:
Councilman Armitage reported he will be meeting with representative David Boyce to discuss the paid Family Leave Act.

Utility:
Supervisor Barbeau reported affected residents of the proposed water district on Harris Road will receive a letter of invitation to an informational meeting with Engineer, Eric Weis on September 28th at 6 PM to discuss moving forward based on interest.

Courts:
Councilman Armitage reported total revenue for July 2017 at $28,099 with $12,162 remitted to the state and $15,839 retained locally.

Supervisor/GAM:
Supervisor Barbeau reported:
- Memo of Understanding – Contract – Pilot for the proposed DePaul Project for Town Board review – 30 years - feedback and input from Village
- Vacant Building Registry – Language ready with Code Enforcement – Option of meeting jointly with the Village of LeRoy and hold one public hearing

AUTHORIZATION TO PAY BILLS:
On MOTION by Councilman Stella and seconded by Supervisor Barbeau and passed unanimously the following bills were presented for payment:

<table>
<thead>
<tr>
<th>Abstract # 16</th>
<th>2016/2017</th>
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<tbody>
<tr>
<td>Highway Fund DA &amp; DB:</td>
<td>$46,068.89</td>
<td>138-143</td>
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<tr>
<td>Water District SW:</td>
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</tbody>
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EXECUTIVE SESSION:
On MOTION by Councilman Paddock and seconded by Councilman Armitage and passed unanimously to enter into executive session at 9:39 PM for the purpose of contractual and personnel issue with Town Board present. On MOTION by Councilman Paddock and seconded by Councilman Duyssen and passed unanimously to come out of executive session at 10:23 PM with no action taken.

With no further business to come before the Board, on MOTION by Councilman Armitage and seconded by Councilman Stella and passed unanimously to adjourn at 10:24 PM.
Respectfully Submitted, Patricia A. Canfield Town Clerk