

CLOSE-OUT AND ORGANIZATIONAL MEETING
WOLCOTT TOWN BOARD - JANUARY 2, 2018

A special meeting of the Wolcott Town Board was held Tues., Jan. 2, 2018, at the Wolcott Town Hall at 6:00 PM with the following people present:

PRESENT - Supervisor - Lynn Chatfield
Councilman - Adam Ellis, Jr.
Councilman - Daniel Youngman
Councilman - Zachary Decker
Councilwoman - Lori Furguson

OTHERS PRESENT - Dawn Krul, Town Clerk; Amber Roberts, Assessor/ Supervisor's Clerk; Don Camp, Code Enforcement Officer; Jack Whitaker
6300 Wadsworth Rd., Wolcott; Karli Starczewski, 7102 East Port Bay Rd., Wolcott.

The Supervisor called the meeting to order at 6:00 PM.

Pledge of Allegiance -

Copies presented to the Town Board:

1. Port Bay SD Fund Claim (Unaudited)

CLOSE-OUT MEETING - General & Highway Fund Transfers

RESOLUTION #01-18 AUTHORIZING YEAR-END BUDGET TRANSFERS -

The following resolution was presented by Zach Decker, moved by Adam Ellis, seconded by Dan Youngman,

WHEREAS, certain transfers are necessary to close-out and balance the 2017 General and Highway Fund Budget,
NOW, THEREFORE, BE IT RESOLVED to authorize the

following 2017 budget transfers and any others deemed necessary:

GENERAL FUND -

- from A1990.4 to A1220.4 in the amount of \$858.29
- from A1990.4 to A1330.4 in the amount of \$257.97
- from A1990.4 to A1450.4 in the amount of \$1,991.73
- from B1990.4 to B8030.4 in the amount of \$10,155.00

HIGHWAY FUND -

- from DA5132.4 to DA5130.2 in the amount of \$3,010.10
- from DB3501 to DB5112.4 in the amount of \$18,066.23

VOTE - AYES 5 NAYS 0 .

GENERAL CORRESPONDENCE -

1. Packet from the Association of Towns outlining their 2018 Training School and Annual Meeting to be held in New York City, Feb. 18-21, 2018.

A motion was made by Dan Youngman, seconded by Adam Ellis, to accept general correspondence.

VOTE - AYES 5 NAYS 0 .

ORGANIZATIONAL MEETING -

A resolution was presented by Dan Youngman, moved by Adam Ellis, seconded by Zach Decker "Be it RESOLVED to accept blanket bond for all regular Town employees." VOTE - AYES 5 NAYS 0 .

A resolution was presented by Dan Youngman, moved by Zach Decker, seconded by Adam Ellis, "Be it RESOLVED to appoint Gary Mettler, Animal Control Officer, and Tammy Mettler, Deputy Animal Control Officer for one year." VOTE - AYES 5 NAYS 0 .

The Town Clerk reported to the Board she would appoint Jessica Freer, Deputy Town Clerk, for two years.

A resolution was presented by Adam Ellis, moved by Lori Furguson, seconded by Dan Youngman, "Be it RESOLVED that the Deputy Town Clerk will, in the absence of the Town Clerk, have the same duties and responsibilities as the Town Clerk." VOTE - AYES 5 NAYS 0.

A resolution was presented by Dan Youngman, moved by Adam Ellis, seconded by Zach Decker, "Be it RESOLVED to appoint Dawn M. Krul, Registrar of Vital Statistics and Jessica Freer, Deputy Registrar of Vital Statistics, for two years." VOTE - AYES 5 NAYS 0.

A resolution was presented by Zach Decker, moved by Lori Furguson seconded by Adam Ellis, "Be it RESOLVED that any Town Officer be allowed the IRS rate per mile (54.5 cents) when using their personal vehicles for Town business." VOTE - AYES 5 NAYS 0.

A resolution was presented by Zach Decker, moved by Dan Youngman, seconded by Lori Furguson, "Be it RESOLVED to authorize the Highway Supt. to spend up to \$1,500 for tools without prior authorization." VOTE - AYES 5 NAYS 0.

Supervisor Chatfield reported to the Board that he would appoint Amber Roberts as his clerk for two years.

A resolution was presented by Adam Ellis, moved by Dan Youngman, seconded by Zach Decker, "Be it RESOLVED to pay all elected Town Officers as outlined in the 2018 Budget." VOTE - AYES 5 NAYS 0.

ORGANIZATIONAL MEETING - (cont'd)

A resolution was presented by Dan Youngman, moved by Lori Furgu-son seconded by Zach Decker, "Be it RESOLVED to pay the Supervisor, Council Members, Town Justices, Court Clerk, Deputy Town Clerk, Code Enforcement Officer, Assessor, Supervisor's Clerk, Account Clerk, As-
sessor's Clerk, Animal Control Officer, Custodian of Town Hall-month-ly; the Town Clerk and Highway Supt.,-semi-monthly; the Highway work-ers bi-weekly; the Town Historian, Town Attorney and anyone else con-tracted by the Town-upon submission of a voucher."
VOTE - AYES 5 NAYS 0 .

A resolution was presented by Dan Youngman, moved by Zach Decker, seconded by Lori Furguson "Be it RESOLVED to authorize the Town Clerk and/or her Deputy to attend any County Town Clerk's monthly meetings, annual Spring Conference, and/or Continuing Education courses; the Council Members, Assessor and Account Clerk to attend any Continuing Education courses; the Code Enforcement Officer and two members of
the Planning Board to attend annual Spring and Fall Conferences; the Code Enforcement Officer to attend annual Spring Continuing Education Conference; the Supervisor's Clerk to attend any monthly meetings and /or Continuing Education courses; the Highway Supt. to attend annual Spring Highway School and Fall Highway Supt's. Conference at Town ex-pense." VOTE - AYES 5 NAYS 0 .

Supervisor Chatfield appointed himself and Dan Youngman as Build-ing Maintenance Supervisors for the Town Hall.

A resolution was presented by Adam Ellis, moved by Zach Decker, seconded by Dan Youngman, "Be it RESOLVED to appoint the Supervisor
and Highway Supt. to serve as Supervisors to the Sanitary Landfill."
VOTE - AYES 5 NAYS 0 .

A resolution was presented by Dan Youngman, moved by Zach Decker, seconded by Lori Furguson, "Be it RESOLVED to hold all regular Town Board meetings on the 3rd Tuesday of each month at 6:00 PM."
VOTE - AYES 5 NAYS 0 .

A resolution was presented by Adam Ellis, moved by Dan Youngman, seconded by Zach Decker "Be it RESOLVED to appoint Mary Anne McConkey Clerk to the Justices, for two years." VOTE - AYES 5 NAYS 0 .

A resolution was presented by Dan Youngman, moved by Zach Decker, seconded by Lori Furguson, "Be it RESOLVED to appoint Amanda Meyers as Account Clerk to the Assessor for one year at a rate of \$15.87 per hour and any temporary Assessor's Clerk at a rate of \$10.96 per hour.
VOTE - AYES 5 NAYS 0 .

A resolution was presented by Adam Ellis, moved by Zach Decker, seconded by Dan Youngman, "Be it RESOLVED to pay the Deputy Town Clerk \$13.66 per hour." VOTE - AYES 5 NAYS 0 .

ORGANIZATIONAL MEETING - (cont'd)

A resolution was presented by Dan Youngman, moved by Lori Furguson, seconded by Zach Decker, "Be it RESOLVED to pay all FT Highway Workers \$20.89 per hour as per contract and existing PT Highway Workers \$20.03 per hour. VOTE - AYES 5 NAYS 0 .

A resolution was presented by Dan Youngman, moved by Zach Decker, seconded by Lori Furguson, "Be it RESOLVED to pay any part-time general laborer for the highway department \$10.40 per hour."
VOTE - AYES 5 NAYS 0 .

A resolution was presented by Zach Decker, moved by Dan Youngman, seconded by Lori Furguson, "Be it RESOLVED to appoint Linda Hosier, Custodian of the Town Hall, at a monthly rate of \$200.00.

VOTE - AYES 5 NAYS 0 .

A resolution was presented by Dan Youngman, moved by Zach Decker, seconded by Lori Furguson, "Be it RESOLVED to pay not more than \$6.00 per yard for bank-run sand and/or gravel." VOTE - AYES 5 NAYS 0 .

A resolution was presented by Adam Ellis, moved by Dan Youngman, seconded by Zach Decker, "Be it RESOLVED to designate Lyons National Bank as the official depository for the Town of Wolcott."

VOTE - AYES 5 NAYS 0 .

A resolution was presented by Adam Ellis, moved by Lori Furguson, seconded by Dan Youngman, "Be it RESOLVED to pay Assessment Review Board Members a flat rate of \$100.00 per day when they act."

VOTE - AYES 5 NAYS 0 .

A resolution was presented by Dan Youngman, moved by Lori Furguson, seconded by Adam Ellis, "Be it RESOLVED to appoint Art Williams

as Town Attorney for one year." VOTE - AYES 5
NAYS 0 .

A resolution was presented by Dan Youngman, moved by Zach Decker, seconded by Adam Ellis, "Be it RESOLVED to appoint Lee Walter as Town Accountant for one year." VOTE - AYES 5 NAYS 0 .

RESOLUTION #2-2018 AUTHORIZING THE SUPERVISOR TO SIGN CONTRACTS WITH LEE WALTER, CPA, FOR AUDITING OF VARIOUS TOWN RECORDS -

The following resolution was presented by Adam Ellis, moved by Zach Decker, seconded by Lori Furguson,

WHEREAS, the Town Board has resolved to appoint Lee Walter as Town Accountant for 2018; and

WHEREAS, Mr. Walter has submitted contracts to audit the accounts that collectively comprise the basic financial accounts for the Town of Wolcott, the Supervisor's account, the Town Clerk's and Tax Collector's accounts and the Court's accounts; and
ORGANIZATIONAL MEETING - (cont'd)

RESOLUTION - (cont'd)

WHEREAS, the Town Board desires for Mr. Walter to audit all of the aforementioned accounts;

NOW, THEREFORE, BE IT RESOLVED, to authorize the Supervisor to sign contracts with Lee Walter for auditing of all town accounts.

VOTE - AYES 5 NAYS 0.

A resolution was presented by Dan Youngman, moved by Zach Decker, seconded by Lori Furguson, "Be it RESOLVED to appoint Norma Stewart, Town Historian, for two years." VOTE - AYES 5 NAYS 0.

A resolution was presented by Dan Youngman, moved by Zach Decker, seconded by Adam Ellis, "Be it RESOLVED to appoint Donald Camp, Code Enforcement Officer, for one year." VOTE - AYES 5 NAYS 0.

OTHER BUSINESS -

RESOLUTION #3-18 ANNUAL ADOPTION OF CONFLICT OF INTEREST POLICY -

The following resolution was presented by Adam Ellis,
moved by
Dan Youngman, seconded by Lori Furguson,

BE IT RESOLVED, by the Town Board of the Town of Wolcott
that:

(1) The Town Board of the Town of Wolcott hereby adopts
the
attached Conflict of Interest Policy in accordance
with NYS
General Municipal Law Article 18.

Town of Wolcott Conflict of Interest Policy

ARTICLE 1: Authority

Under the authority granted in NYS General Municipal
Law Article 18 § 800-809, the Town Board of the Town
of Wolcott hereby adopts the following Policy
concerning conflict of interest.

ARTICLE 2: Purpose

The purpose of this Policy is to ensure that the
business of the Town of Wolcott will be conducted in
such a way that no public offi-cial of the municipality
will gain a personal or pecuniary advantage from his
or her work for the municipality and so that the public
trust in municipal officials will be preserved.

ARTICLE 3: Definitions

For the purposes of this ordinance, the following
definitions shall apply:

a. "Municipality" means the Town of Wolcott

CONFLICT OF INTEREST POLICY - (cont'd)

b. "Conflict of interest" means a direct personal or
pecuniary interest of a public officer, his or her
spouse, household member business associate, employer
or employee, in the outcome of a cause, proceeding,

application or any other matter pending before the officer or before the public body in which he or she holds office or is employed. "Conflict of interest" does not arise in the case of votes or decisions on matters in which the public officer has a personal or pecuniary interest in the outcome no greater than that of other persons generally affected by the decision, such as adopting a bylaw or setting a tax rate.

c. "Emergency" means an imminent threat or peril to the public health, safety or welfare.

d. "Official act or action" means any discretionary legislative, administrative or judicial act performed by any elected or ap-pointed officer or employee while acting on behalf of the muni-cipality.

e. "Public body" means a municipality and its departments, boards councils, commissions, committees or other instrumentality's.

f. "Public interest" means an interest of the community as a whole, conferred generally upon all residents of the municipality

g. "Public officer" or "public official" means a person elected or appointed to perform executive, administrative, legislative or quasi-judicial functions for a public body.

ARTICLE 4: Disqualification

a. A public officer shall not participate in any official action if he or she has a conflict of interest in the matter under con-sideration.

b. A public officer shall not personally or through any member of his or her household, business associate, employer or employee represent, appear for, or negotiate in a private capacity on be-half of any person or organization in any cause, proceeding, ap-plication or other matter pending before the public body in which the officer holds office or is employed.

c. In the case of a public officer who is an appointee, the person or public body which appointed that public officer shall have the authority to order that officer to recuse him or herself from the matter.

CONFLICT OF INTEREST POLICY - (cont'd)

ARTICLE 5: Disclosure

a. A public officer who has reason to believe that he or she has or may have a conflict of interest but believes that he or she is able to act fairly, objectively and in the public interest in spite of the conflict of interest shall, prior to participating in any official action on the matter, prepare a statement describing the matter under consideration, the nature of the potential conflict of interest and why he or she believes that he or she is able to act in the matter fairly, objectively and in the public interest.

b. In the case of a public officer who is an elected member of a board, commission or other body, the remaining members of that body shall have the authority to inquire of the officer about a possible conflict of interest and to suggest or recommend that the member recuse him or herself from the matter. If the member believes that he or she does not have a conflict of interest or believes that he or she is able to act fairly, objectively and in the public interest in spite of an existing conflict of interest, the member shall, prior to participating in the matter, prepare a statement describing the matter under consideration, the nature of the potential conflict of interest and why he or she believes that he or she is able to act in the matter fairly, objectively and in the public interest.

c. The statement required by subsections (a) and (b) above shall be signed by the officer and filed as part of the minutes of the meeting of the public body in which the officer holds office.

ARTICLE 6: Determination

a. After disclosure of the financial interest and all material facts, and after any discussion with the interested person, the public officer shall leave the Board meeting while the determination of a conflict of interest is discussed and voted upon. The remaining Board members shall decide if a conflict of interest exists.

ARTICLE 7: Hearing before the Board

a. Any resident of the municipality or Board member who believes that an officer should recuse him or herself from a matter because of a conflict of interest or that the officer should provide a disclosure statement regarding his or her conflict of interest in the matter, may file a complaint with the Town Clerk or a Town Board member.

CONFLICT OF INTEREST POLICY - (cont'd)

b. Upon receipt of the complaint, a presentation may be made at the next Board meeting. After the presentation the public officer shall leave the meeting during the discussion of the complaint and the Board shall consider all the evidence. The Board shall issue a written decision as to whether the official shall be required to recuse him or herself from the matter and state the reasons for that decision.

ARTICLE 8: Violations

a. If the Board has reasonable cause to believe a member has failed to disclose actual or possible conflicts of

interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.

b. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the Board determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

ARTICLE 9: Enforcement

a. Refusal to comply with the decision of the Board shall be considered a violation of this policy. The legislative body, acting on behalf of the municipality, may seek injunctive relief in superior court which may include, but not be limited to, an order to negate any vote or other action taken by the officer in the matter.

b. In addition to any other remedies provided by law, a public officer who violates this policy may be publicly censured by the Board.

ARTICLE 10: Records of Proceedings

Once a decision is made by the Board, the minutes of the Board and all committees with board delegated powers shall contain:

a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the Board's decision as to whether a conflict of interest in fact existed.

b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in

connec-tion with the proceedings.

CONFLICT OF INTEREST POLICY - (cont'd)

ARTICLE 11: Exception

The provisions of Article 4 of this policy shall not apply if the legislative body of the municipality determines that an emergency

exists and that actions of the public body otherwise could not take place. In such cases, a public officer who has reason to believe he or she has a conflict of interest shall disclose such conflict as provided in Article 5.

ARTICLE 12: Severability

If any section of this policy is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this policy.

ARTICLE 13: Periodic Reviews

The Town of Wolcott Town Board shall regularly and consistently monitor and enforce compliance with this policy by periodic reviews and taking such actions as are necessary for effective oversight. If at any time during the year, the information in this policy changes, the Board shall approve such changes in a meeting, by a majority vote of the Board and disclose such changes in the minutes of that meeting. The policy shall be re-approved yearly at the Annual Meeting.

ARTICLE 14: Effective Date

This Policy shall become effective January 2, 2018 with its adop-tion by the Town of Wolcott Town Board.

ON ROLL CALL VOTE - Chatfield "YES", Ellis "YES",
Youngman "YES",

Decker "YES", Furguson "YES".

The next regular meeting of the Wolcott Town Board will be held
Jan. 16, 2018, at 6:00 PM at the Town Hall.

A motion was made by Dan Youngman, seconded by Zach Decker, to adjourn the meeting at 6:41 PM.

submitted,

Respectfully

Dawn M. Krul,
Town Clerk

