

CLOSE-OUT AND ORGANIZATIONAL MEETING  
WOLCOTT TOWN BOARD - JANUARY 4, 2022

A special meeting of the Wolcott Town Board was held Tues., January 4<sup>th</sup>, 2022, at the Wolcott Town Hall at 6:00 PM with the following people present:

PRESENT - Supervisor - Lynn Chatfield  
Councilman - Adam Ellis, Jr.  
Councilman - Dan Youngman  
Councilman – Ray Hauss  
Councilman – Jordan Brown

OTHERS PRESENT - Jessica Freer, Town Clerk; Amber Roberts, Assessor/Supervisor's Clerk; Zach Decker, Highway Superintendent; Don Camp, Code Enforcement Officer

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

Pledge of Allegiance -

CLOSE-OUT MEETING –

RESOLUTION #1-22 AUTHORIZING 2021 YEAR-END BUDGET TRANSFERS -

The following resolution was presented by Adam Ellis, moved by Dan Youngman, seconded by Jordan Brown,

WHEREAS, certain transfers are necessary to close-out and balance the 2021 General and Highway Fund Budget,

NOW, THEREFORE, BE IT RESOLVED to authorize 2021 budget transfers and any others deemed necessary:

VOTE - AYES   5   NAYS   0  .

ORGANIZATIONAL MEETING -

A resolution was presented by Adam Ellis, moved by Dan Youngman, seconded by Ray Hauss "Be it RESOLVED to accept blanket bonds for all regular Town employees."

VOTE - AYES   5   NAYS   0  .

A resolution was presented by Adam Ellis, moved by Dan Youngman, seconded by Jordan Brown "Be it RESOLVED to appoint Gary Mettler, Animal Control Officer for a salary pay of \$7,260.24 as outlined in the 2022 Town Budget, 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 Korryne Noyes, Deputy Town Clerk, for two years.

A resolution was presented by Adam Ellis, moved by Dan Youngman, seconded by Jordan

Brown "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 Adam Ellis, moved by Dan Youngman, seconded by Ray Hauss "Be it RESOLVED to appoint Jessica Freer, Registrar of Vital Statistics and Korryne Noyes, Deputy Registrar of Vital Statistics, for two years." VOTE - AYES 5 NAYS 0.

A resolution was presented by Dan Youngman, moved by Adam Ellis, seconded by Jorden Brown "Be it RESOLVED that any Town Officer be allowed the 2022 IRS rate of 58.5 cents per mile when using their personal vehicles for Town business." VOTE - AYES 5 NAYS 0.

A resolution was presented by Dan Youngman, moved by Adam Ellis, seconded by Jorden Brown "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 the Supervisor's Clerk for two years for a salary pay of \$28,681.38 as outlined in the 2022 Town Budget.

A resolution was presented by Dan Youngman, moved by Jorden Brown, seconded by Ray Hauss "Be it RESOLVED to pay all elected Town Officers and appointed Town Employees as outlined in the 2022 Budget." VOTE - AYES 5 NAYS 0.

A resolution was presented by Dan Youngman, moved by Ray Hauss, seconded by Jorden Brown "Be it RESOLVED to pay the Supervisor, Councilmen, Town Justices, Court Clerk, Highway Superintendent, Town Clerk, Deputy Town Clerk, Code Enforcement Officer, Assessor, Supervisor's Clerk, Assessor's Clerk, Animal Control Officer, Custodian of Town Hall-monthly; the Highway workers bi-weekly; the Town Historian, Town Attorney and anyone else contracted by the Town upon submission of a voucher." VOTE - AYES 5 NAYS 0.

A resolution was presented by Adam Ellis, moved by Dan Youngman, seconded by Jorden Brown "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 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 Bookkeeper to attend any monthly bookkeeper's meetings and/or Continuing Education courses; the Highway Supt to attend annual Spring Highway School and Fall Highway Supt's. Conference at Town expense." VOTE - AYES 5 NAYS 0.

Supervisor Chatfield appointed himself and Robert Huntington as Building Maintenance Supervisors for the Town Hall.

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

A resolution was presented by Adam Ellis, moved by Dan Youngman, seconded by Ray Hauss "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 Dan Youngman, moved by Adam Ellis, seconded by Ray Hauss "Be it RESOLVED to appoint Mary Anne McConkey, Clerk to the Justices, for two years for a salary pay of \$25,081.25 as outlined in the 2022 Town Budget. VOTE - AYES 5 NAYS 0.

A resolution was presented by Dan Youngman, moved by Jordan Brown, seconded by Ray Hauss "Be it RESOLVED to appoint Karli Starczewski as Clerk to the Assessor for one year at a rate of \$16.00 per hour." VOTE - AYES 5 NAYS 0.

A resolution was presented by Adam Ellis, moved by Dan Youngman, seconded by Jordan Brown "Be it RESOLVED to pay the Deputy Town Clerk at a rate of \$16.00 per hour." VOTE - AYES 5 NAYS 0.

A resolution was presented by Adam Ellis, moved by Dan Youngman, seconded by Ray Hauss "Be it RESOLVED to pay all existing full time Highway Workers, new full time Highway Workers, existing Part time Highway Workers and new part time highway workers per hour as per the 2022 Budget.

A resolution was presented by Dan Youngman, moved by Adam Ellis, seconded by Ray Hauss "Be it RESOLVED to pay a general laborer for the highway department a rate of \$13.20 per hour." VOTE - AYES 5 NAYS 0.

A resolution was presented by Adam Ellis, moved by Dan Youngman, seconded by Jordan Brown "Be it RESOLVED to appoint Time to Spare Cleaning, Custodians of the Town Hall, at a monthly rate of \$260.00. VOTE - AYES 5 NAYS 0.

A resolution was presented by Dan Youngman, moved by Adam Ellis, seconded by Jordan Brown "Be it RESOLVED to pay not more than \$9.00 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 Ray Hauss "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 Dan Youngman, moved by Adam Ellis, seconded by Ray Hauss "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 Adam Ellis, moved by Ray Hauss, seconded by Jordan Brown "Be it RESOLVED to appoint Matthew St. Martin as Town Attorney for one year." VOTE - AYES 5 NAYS 0.

A resolution was presented by Adam Ellis, moved by Dan Youngman, seconded by Ray Hauss "Be it RESOLVED to appoint Tette, Ingersoll & Co. CPA's PC, a member of Allied Financial Partners as Town Accountant for one year." VOTE - AYES 5 NAYS 0.

A resolution was presented by Adam Ellis, moved by Dan Youngman, seconded by Ray Hauss "Be it RESOLVED to appoint Kara Chapin, Town Historian, for two years." VOTE - AYES 5 NAYS 0.

A resolution was presented by Dan Youngman, moved by Adam Ellis, seconded by Jordan Brown "Be it RESOLVED to appoint Donald Camp, Code Enforcement Officer, for one year for a salary pay of \$41,863.43 as outlined in the 2022 Budget." VOTE - AYES 5 NAYS 0.

Highway Superintendent, Zach Decker, reported he would appoint Chris Bauer, Deputy Highway Superintendent, for two years.

#### GENERAL CORRESPONDENCE –

1. Letter from K.R. Applin saying he is retiring and will help find a new landfill monitor if we would like.

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

VOTE - AYES 5 NAYS 0.

#### OTHER BUSINESS -

1. Conflict of Interest Policy –

#### RESOLUTION #2-22 ANNUAL ADOPTION OF CONFLICT-OF-INTEREST POLICY-

The following resolution was presented by Adam Ellis, moved by Dan Youngman seconded by Jordan Brown,

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 official 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

**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 appointed officer or employee while acting on behalf of the municipality.

**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 consideration.

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 behalf of any person or organization in any cause, proceeding, application 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.

### **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.

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 trans-action or arrangement, and a record of any votes taken in connection with the proceedings.

#### **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 reapproved yearly at the Annual Meeting.

#### **ARTICLE 14: Effective Date**

This Policy shall become effective January 4, 2022, with its adoption by the Town of Wolcott Town Board.

ON ROLL CALL VOTE - Chatfield "YES", Ellis "YES", Youngman "YES",  
Hauss "YES", Brown "YES".

2. Temporary Suspension of Renewal Applications –

RESOLUTION #3-22 TOWN ASSESSOR – AUTHORITY TO GRANT EXEMPTIONS ON THE 2022 TOWN ASSESSMENT ROLL –

The following resolution was presented by Adam Ellis, moved by Dan Youngman, seconded by Jorden Brown,

WHEREAS, on December 26, 2021, Governor Kathy Hochul issued Executive Order No. 11, declaring a State disaster emergency for the entire State of New York due to the COVID-19 pandemic; and

WHEREAS, this State disaster emergency has resulted in limited hours in municipal offices in the Town of Wolcott and rendered senior citizens and individuals with disabilities residing in Wolcott homebound. These factors combined have made it difficult, if not impossible, for many in these populations to file their real property tax exemption applications in person and many, further, lack the ability to file such applications online; and

WHEREAS, in recognition of the above problems caused by the pandemic, Governor Hochul issued Executive Order No. 11.1 on December 26, 2021, thereby extending Executive Order No. 11. This extension of the Governor's Executive Order modifies subdivisions 7, 7-a and 8 of section 459-c of the Real Property Tax Law and subdivisions 5, 5-a, 5-b, 5-c and 6 of section 467 of the Real Property Tax Law, the effect of which permits the governing body of an assessing unit (i.e., the Town Board of the Town of Wolcott to adopt a Resolution directing the Assessor to grant exemptions on the 2022 assessment roll to all property owners who received such exemptions on the 2021 assessment roll (i.e., senior citizens and individuals with disabilities with limited income), thereby dispensing with the need for such persons to file renewal applications to request such exemptions, and further dispensing with the requirement that assessors mail renewal applications to such persons; and

WHEREAS, Executive Order 11.1 further allows the governing body of said assessing unit, in any such Resolution, at its option, to include procedures by which its Town Assessor may require a renewal application to be filed if he has reason to believe that an owner who qualified for the exemption on the 2021 assessment roll may have since changed his or her primary residence, added another owner to the deed, transferred the property to a new owner or died; and

WHEREAS, pursuant to said Executive Order, the Town Board of the Town of Wolcott wishes to adopt such Resolution directing the Town Assessor of the Town of Wolcott to grant exemptions on the 2022 assessment roll to all eligible senior citizens and individuals with disabilities with limited income, and granting the Town Assessor of the Town of Wolcott the authority to require renewal applications for due cause, as discussed above, utilizing procedures outlined below;

NOW THEREFORE, BE IT RESOLVED, pursuant to the authority granted by Executive Order No. 11.1, issued by the Governor of the State of New York, that the Town Board of the Town of Wolcott hereby directs the Town Assessor of the Town of Wolcott to:

1. Grant exemptions on the 2022 assessment roll to all individuals who received the senior exemption on the 2021 assessment roll and all individuals who received the exemption on the 2021 assessment roll because they were recognized as a person with disabilities and limited income, thereby dispensing with the need for any such individuals to file renewal applications for such exemptions, except that;

2. The Town Assessor may, in his sole discretion, require a renewal application to be timely filed with his office if he has reason to believe that any such individual, who qualified for the aforementioned exemption on the 2021 assessment roll, may have since changed their primary residence, added another owner to the deed for the relevant property, transferred such property to a new owner or died. If the Town Assessor requires such renewal application be filed, he shall notify the owner of the subject property of such requirement by regular mail, with such notice shall containing instructions on how to file the renewal application. Said renewal application may be returned by mail or by making an appointment to drop same off at the Town Assessor's office, 6070 Lake Ave., Wolcott, NY 14590.

VOTE – AYES   5   NAYS   0  .

3. Standard Workday for Employees –

RESOLUTION #4-22 ESTABLISHING STANDARD WORKDAY RESOLUTION FOR EMPLOYEES –

The following resolution was presented by Adam Ellis, moved by Dan Youngman, seconded by Jorden Brown,

BE IT RESOLVED, that the Town of Wolcott, Location Code 30198, hereby establishes the following as standard work days for its employees and will report days worked to the New York State and Local Employees' Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the clerk of this body:

<u>Title</u>	<u>Standard Workday (Hrs/day)</u>
Supervisor	6
Councilmembers	6
Assessor	6
Highway Superintendent	8
Laborers	8
Town Clerk	6
Clerks	6
Justice	6

On this 4<sup>th</sup> day of January 2022

\_\_\_\_\_  
Signature of the Clerk

Date Enacted: \_\_\_\_\_

VOTE – AYES 5 NAYS 0.

Privilege of the Floor was offered

Executive Session -

A motion was made by Adam Ellis, seconded by Dan Youngman to move into executive session at 6:18 PM to discuss the of employment history of a particular person.

VOTE - AYES 5 NAYS 0.

Close Executive Session -

A motion was made by Ray Hauss, seconded by Dan Youngman to close executive session at 6:26 PM. VOTE - AYES 5 NAYS 0.

SUPERVISOR - Lynn Chatfield

1. Lynn said he has received phone calls over the years about a leash law, he has reached out to the Association of Towns and obtained copies of Town of Huron's and Town of Sodus's Leash Laws, Lynn thinks its something the Board should think about. Ray agreed to overview the Leash Laws.

2. Lynn spoke directly to the new Councilmembers and said they can contact him if they have questions and/or concerns and to speak with Department Heads if they have specific questions that pertain to them.

The next regular meeting of the Wolcott Town Board will be held January 18, 2022, at 6:00 PM at the Town Hall.

A motion was made by Dan Youngman, seconded by Adam Ellis, to adjourn the meeting at 6:37 PM.

Respectfully submitted,

Jessica Freer,  
Town Clerk