

REGULAR MEETING - WOLCOTT TOWN BOARD - FEBRUARY 16, 2010

A regular meeting of the Wolcott Town Board was held Tues., Feb. 16, 2010, at the Wolcott Town Hall with the following people present:

PRESENT - Supervisor - Kim Park
Councilman - Dallas Youngman
Councilman - Jeffrey Keller
Councilman - Scott Gregg
Councilman - Adam Ellis, Jr.

OTHERS PRESENT - Dawn Krul, Town Clerk; Kenneth Burgess, Code Enforcement Officer; Tom Interlichia, Highway Supt.; Amber Roberts, Assessor/Bookkeeper; Eileen Perkins, Assessor; Chris Loveless, 11700 Tompkins Pt. Rd., Wolcott.

Copies presented to the Town Board:

1. Minutes of January 19, 2010 (Regular Meeting)
2. General Fund Claims (Unaudited)
3. Highway Fund Claims (Unaudited)

The Supervisor's, Town Clerk's, Justices, Code Enforcement Officer's, Highway Supt's and Animal Control Officer's reports were pre-sented to the Town Board.

GENERAL BUSINESS -

GENERAL CORRESPONDENCE -

1. Report from Wolcott Civic Free Library re their income and disbursements for 2009 and their budget for 2010.
2. Letter from David Benwell re the Wayuga Rec Program.
3. Letter from Timothy Casper, Correction Officer, asking for support in keeping the Butler Correctional Facility open by contacting our State Senator and State Assemblyman.

A motion was made by Kim Park, seconded by Dallas Youngman, to accept the minutes of Jan 19, 2010, general correspondence and de-partmental reports. VOTE - AYES 5 NAYS 0.

ABSTRACT OF CLAIMS -

GENERAL ACCOUNT - Claims #43 thru #90 - total - \$53,365.08

HIGHWAY ACCOUNT - DA Townwide - total - \$31,285.36

A resolution was presented by Kim Park, moved by Dallas Youngman, seconded by Adam Ellis "Be it RESOLVED to pay General and Highway claims as presented." VOTE - AYES 4 NAYS 0. Councilman Gregg ABSTAINED.

ANNUAL AUDIT OF TOWN RECORDS -

The following resolution was presented by Kim Park, moved by Dallas Youngman, seconded by Jeff Keller,

WHEREAS, it is necessary for the Town Board to annually examine the records of the Supervisor, Town Clerk and Justices;

NOW, THEREFORE, BE IT RESOLVED that the Wolcott Town Board, upon examination of the Supervisor's, Town Clerk's and Justices records and bank transactions for 2009, have found them to be in order and have acknowledged as such by their signatures on said records and transactions.

On Roll Call Vote - Park "YES", Youngman "YES", Keller "YES",

Gregg "YES", Ellis "YES".

ASSESSORS - Amber Roberts & Eileen Perkins

1. Amber and Eileen reported they have started to get

some feed-back from the recent valuation updates that were mailed to property owners. They will be holding informal hearings for several weeks with anyone who wants to discuss their update.

HIGHWAY - Tom Interlichia

1. Tom brought the "Agreement to Spend Highway Funds" form which needs to be signed by him and the rest of the Board. The Town Clerk will send the original and a copy to the County Highway Superintendent to be signed and one returned to us for our files.

2. Tom discussed the possibility of installing a fire security system at the highway garage. He will get some figures together for next month's meeting.

3. Tom stated he had the boiler serviced at the highway garage.

The 50 year-old boiler is starting to get some leaks. The service tech recommended that when it needs to be replaced to put two smaller boilers in for more efficiency. Councilman Gregg suggested they look into the availability of some grant money seeing as how they had an energy audit performed at the highway building. He will look into what else might be needed to pursue this.

4. Tom said the word going around is Sterling Trucks are going out of business. The highway department has 4 of these trucks. Tom is concerned about getting parts farther on down the road when they begin to need servicing.

Tom left the meeting at this point.

CODE ENFORCEMENT OFFICER - Ken Burgess

1. Ken informed the Board that Milt Wadsworth of the Board of Appeals and Art Batzold of the Planning Board are

up for reappoint-ment. The Board asked Ken to contact them to see if they would like to continue serving on these boards.

2. Ken commented on the handicapped ramp and what a nice job Chris Loveless Construction has been doing on it.

3. Ken received a phone call from Jack Peacock at the Department of State Codes Division in Albany regarding a call he had received from Rick Crocetti, owner of Meadow Creek Mobile Home Park. He had called to discuss the standards we have for mobile home placement.

He informed Ken of the law stating we can impose stricter standards than the State Codes Division except when it comes to mobile homes.

Discussion ensued regarding our current local law and whether or not to amend it. Ken will contact our town attorney about this.

4. Ken mentioned he had been in touch with Dick Thompson re-garding some controversy over what is or is not deemed an agricul-tural building.

TOWN CLERK - Dawn Krul

1. The Town Clerk had approached the Supervisor prior to this meeting about obtaining water service for drinking water. Kim asked the rest of the board if they had a problem with this. As they had no objection, the Town Clerk will call Lake Country Distributing on Thursday.

SUPERVISOR -

1. Kim explained the need for the budget modifications to the West Port Bay Road Water District.

The following resolution was presented by Kim Park, moved by Dallas Youngman, seconded by Scott Gregg,

WHEREAS, the Town of Wolcott developed the budget for the West Port Bay Road Water District project based on estimates for various administrative costs; and

WHEREAS, the actual costs for several of these budget items will be more or less than the budgeted amounts, as follows:

<u>Budget Item</u> <u>Modified Budget</u>	<u>Approved Budget</u>	<u>Increase (Decrease)</u>
Legal \$3,756.90	\$8,000.00	(\$4,243.10)
Bonding \$2,224.79	\$2,050.00	174.79
Net Interest 0.00	\$5,000.00	(\$5,000.00)
Land, ROW \$545.00	\$2,000.00	45.00
Misc. \$1,000.00	\$2,500.00	(\$1,500.00)
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		(\$10,523.31)

RESOLUTION - (cont'd)

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby authorizes the adjustments to the budget line items as shown above and the transfer of the remaining funds (\$10,523.31) to the Contingency.

VOTE - AYES 5 NAYS 0.

2. Kim addressed the change order needed for the handicapped ramp

AUTHORIZE CHANGE ORDER FOR TOWN HALL HANDICAPPED RAMP

The following resolution was presented by Kim Park, moved by Scott Gregg, seconded by Adam Ellis,

WHEREAS, building plans given to the contractor did not specify

a masonry landing, roof structure over stairs, handrails or lights; and

WHEREAS, these specifications are necessary to meet NYS Building Code; and

WHEREAS, the contractor must be authorized and compensated to make such mandatory changes;

NOW, THEREFORE, BE IT RESOLVED to authorize change order for above named specifications to handicapped ramp in the amount of \$3,584.00.

VOTE - AYES 5 NAYS 0.

3. Kim stated there is a slight change in the bond resolution for the Waters Road/Red Creek Road Water District and therefore a need for an amended resolution.

AMENDED BOND RESOLUTION -

Supervisor, Kim Park, presented the following resolution and Dallas Youngman duly moved that it be adopted and was seconded by Jeff Keller:

RESOLUTION, DATED FEBRUARY 16, 2010
AMENDING BOND RESOLUTION DATED OCTOBER
20, 2009 AUTHORIZING GENERAL OBLIGATION
BONDS OF THE TOWN OF WOLCOTT TO FINANCE
WATER SYSTEM CAPITAL IMPROVEMENTS WITHIN
THE TOWN, AUTHORIZING THE ISSUANCE OF
BOND ANTICIPATION NOTES IN CONTEMPLATION
THEREOF, THE EXPENDITURE OF SUMS FOR SUCH
PURPOSE, AND DETERMINING OTHER MATTERS IN
CONNECTION THEREWITH.

RESOLUTION - (cont'd)

WHEREAS, the Town of Wolcott Waters Road Red Creek Road is a Water District of the Town of Wolcott, New York, duly established by the Town Board pursuant to the Town Law and financing therefor is duly authorized pursuant to a bond resolution dated October 20, 2009 (the "Original Bond Resolution"); and whereas it is now desired to amend such Original Bond Resolution to increase the amount of bonds and notes authorized and to make corresponding revision to the stated the plan of financing; and

WHEREAS, the Town, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA"), has completed its environmental review and, on September 14, 2009, has duly issued a negative declaration and has determined that the implementation of the type I action as proposed will not result in any significant adverse environmental impacts; now therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF WOLCOTT, NEW YORK, (hereinafter referred to as the "Town"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. Section 1 of the Original Bond Resolution, dated October 20, 2009, is hereby amended, supplemented and restated as follows:

Section 1. The Town of Wolcott shall undertake the acquisition and construction of water improvements for the Town of Wolcott Waters Road/Red Creek Road Water District, and the acquisition of land or rights in land necessary therefor, if any, including, without limitation, water mains, valves, hydrants and other apparatus and appurtenances along and located within the right-of-way of said roads, making available municipal water to residential and other uses located within the district, to be supplied by the Wayne County Water and Sewer Authority with a

connection of approximately 10,800 linear feet of 12-inch water main located on Waters Road, beginning with a connection to the existing 12-inch water main at the intersection of Ridge Road and Waters Road and continuing north along Waters Road to the intersection of Red Creek Road and Waters Road; and approximately 18,000 linear feet of 12-inch water main on Red Creek Road, between Wadsworth Road and the Red Creek Village line, and the acquisition of original furnishings, equipment, machinery or apparatus and other incidental improvements that may be required in connection therewith for such construction and district use (hereinafter referred to as "purpose"), and general obligation serial bonds in an aggregate principal amount not to exceed \$644,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Town are hereby authorized to be issued to finance said purpose.

RESOLUTION - (cont'd)

Section 2. Section 2 of the Original Bond Resolution is hereby amended, supplemented and restated as follows:

Section 2. The estimated aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$1,542,600, and said amount is hereby appropriated therefor. The plan for financing of said purpose is to provide (i) up to \$644,000 from a USDA Rural Development loan to be evidenced by the issuance of bonds or bond anticipation notes as herein authorized; and (ii) up to \$898,600 from anticipated grant funds.

Section 3. All other provisions of the Original Bond Resolution remain in full force and effect, as hereby

modified.

Section 4. This resolution, or a summary hereof, shall be published in full by the Town Clerk of the Town of Wolcott, together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Town, in the manner prescribed by law. The validity of said bonds or of any bond anticipation notes issued in anticipation of the sale of said bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 4. This resolution shall take effect immediately upon its adoption.

The motion having been duly seconded, it was adopted and the following votes were cast:

AYES 5 NAYS 0

4. Kim mentioned when Charlie Philion was here for our audit he suggested we submit an application to Small Cities for possible fund-ing for anything that has to do with making the building handicapped accessible. Discussion.

SUPERVISOR - (cont'd)

AUTHORIZE SUPERVISOR TO SIGN AGREEMENT WITH STUART
BROWN ASSOCI-
ATES FOR 2010 SMALL CITIES APPLICATION FOR ADA BUILDING
COMPLIANCE -

The following resolution was presented by Kim Park,
moved by Dallas Youngman, seconded by Scott Gregg,

WHEREAS, the Wolcott Town Hall is not ADA accessible;
and

WHEREAS, ADA modifications are necessary to serve all
people in the town; and

WHEREAS, the Town Hall must be ADA compliant to receive
Rural Development funding; and

WHEREAS, many current and future Town of Wolcott water
districts are dependent on this funding; and

WHEREAS, the Town Board realizes the building must be
made ADA compliant and wishes to make these changes with
the least financial impact to the Town taxpayer;

NOW, THEREFORE, BE IT RESOLVED to authorize the
Supervisor to sign an agreement with Stuart Brown
Associates for Small Cities Ap-
plication not to exceed \$5,000.00.

VOTE - AYES 5 NAYS 0 .

5. Kim informed the rest of the board she had sent a
support letter to Dan Maffei for the Town of Wolcott that
will go along with his "wish list".

6. Kim stated that neither she nor the Town Clerk will
be here for the regularly scheduled board meeting in April
so she would like to move it up a week to the 13th.

7. Kim would like to schedule the required public
hearings for the Small Cities Grant Application for the
March 16th and the April 13th board meetings.

8. Kim talked with the rest of the board about signing
an agree-
ment with Stuart Brown Associates for services in
connection with the Clean Vessel Grant Application.
Discussion.

AUTHORIZE SUPERVISOR TO SIGN AGREEMENT WITH STUART
BROWN ASSOCI-
ATES FOR CLEAN VESSEL GRANT APPLICATION -

The following resolution was presented by Kim Park,
moved by Jeff Keller, seconded by Dallas Youngman,

WHEREAS, the Town Board recognizes the importance of
our embay-ments and respective water quality; and

WHEREAS, the Town Board wishes to support local
business in their effort to promote water quality; and

WHEREAS, the Clean Vessel Grant is available for local
marinas to apply for boat pump-out facilities;

RESOLUTION - (cont'd)

NOW, THEREFORE, BE IT RESOLVED the Supervisor is
authorized to sign agreement with Stuart Brown Associates
for grant application
services for the Clean Vessel Grant at a cost not to exceed
\$3,000.00

VOTE - AYES 4 NAYS 1 .

The next regular meeting of the Wolcott Town Board will
be held

Mar. 16, 2010, at 7:00 PM at the Town Hall.

A motion was made by Dallas Youngman, seconded by Scott
Gregg, to adjourn the meeting at 8:35 PM.

submitted,

Respectfully

Dawn M. Krul,
Town Clerk

