

REGULAR MEETING - WOLCOTT TOWN BOARD - FEBRUARY 19, 2013

A regular meeting of the Wolcott Town Board was held Tues., Feb. 19, 2013, at 6:00 PM at the Wolcott Town Hall with the following people present:

PRESENT - Supervisor - Kim Park  
Councilman - Dallas Youngman  
Councilman - Jeffrey Keller  
Councilman - Adam Ellis  
Councilman - Henry Felker (ABSENT)

OTHERS PRESENT - Dawn Krul, Town Clerk; Amber Roberts, Assessor/ Bookkeeper; Donald Camp, Code Enforcement Officer; Scott Maybe, Highway Supt.; George Lachnicht, Town Justice; Mary Anne McConkey, Court Clerk; Henry Krasucki, Town Justice; Chris Loveless, 11700 Tompkins Pt. Rd., Wolcott; Mike Costanza, Wayuga Newspapers; Nancy Kasper, 9393 York Settlement Rd., North Rose.

Copies presented to the Town Board:

1. Minutes of January 15, 2013 (Regular Meeting)
2. General Fund Claims (Unaudited)
3. Highway Fund Claims (Unaudited)
4. Waters/Red Creek RD WD (Unaudited)

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

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

Pledge of Allegiance -

PRIVILEGE OF THE FLOOR - Nancy Kasper

As Ms. Kasper did not arrive until 6:15, her slot was forfeited on the agenda.

JCAP GRANT MONEY - Judge Lachnicht, Mary Anne McConkey

Judge Lachnicht and Mrs. McConkey attended tonight's meeting to inform the Board of the receipt of a \$15,000.00 grant from the Justice Court Assistance Program. Discussion was had by those involved regarding the proper procedures and timelines needing to be followed for the administration of the grant. Judge Lachnicht and Mrs. McConkey, along with Judge Krasucki, who arrived later, left at 6:10 PM.

SPECIAL PERMIT REQUEST - John Olori  
52 Wilderness Dr.  
Stony Point, NY 10980  
Property Location - 7810 South Maple St.  
Wolcott, NY 14590  
Tax Map #75119-11-501564

Code Enforcement Officer, Don Camp, presented Special Permit Request #2-2013, which was brought before the Town Board Jan. 15, 2013, at which time a negative impact was declared on the environment and signed by the Supervisor. Then it was taken to the County Planning Board for review and brought back to our Planning Board on Feb. 4, 2013. Request regarding Town of Wolcott Local Law #1-2000 Section 502-C, to build unattached garage, boathouse and expand his cottage in a water-front district.

Don stated the County and Local Planning Boards approved the request and the neighbors that responded didn't have a problem with Mr. Olori's request either.

There being no objections from the Town Board, the following resolution was presented by Kim Park, moved by Adam Ellis, seconded by Dallas Youngman "Be it RESOLVED that the Wolcott Town Board approve the request of John Olori and the recommendation of the Planning Board to the Town Board."

VOTE - AYES 4 NAYS 0 .

GENERAL BUSINESS -

GENERAL CORRESPONDENCE -

1. Two letters from Time Warner Cable regarding price increases for customers in our community.

A motion was made by Kim Park, seconded by Dallas Youngman, to accept the minutes of January 15, 2013, general correspondence and departmental reports. VOTE - AYES 4 NAYS 0 .

ABSTRACT OF CLAIMS -

GENERAL ACCOUNT - Claims #37 thru #77 - total - \$20,609.34

HIGHWAY ACCOUNT - DA Townwide - total - \$32,285.43

WATERS/RED CREEK RD WD - Claims #2 thru #4 - total - \$853.05

A resolution was presented by Kim Park, moved by Dallas Youngman seconded by Jeff Keller "Be it RESOLVED to pay General, Highway and Waters/Red Creek Road Water District claims as presented." VOTE - AYES 4 NAYS 0 .

RESOLUTION #10-13 ANNUAL AUDIT OF TOWN RECORDS -

The following resolution was presented by Kim Park, moved by Adam Ellis, seconded by Dallas Youngman,

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 2012, 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", Ellis "YES".

ASSESSOR/BOOKKEEPER - Amber Roberts

Bookkeeper -

1. Amber stated that W2's and 1099's are done.
2. The annual update by our town accountant, Lee Walter, is done and reviewed by the Supervisor and is ready to be submitted.
3. The annual single audit is also coming up.

Assessor -

1. Amber and Amanda are busy with exemptions as taxable status date is March 1st.
2. Amber has been doing some interior assessments over the last twelve months to update their inventory and to keep their records more accurate.

CODE ENFORCEMENT OFFICER - Don Camp

1. Don had another environmental form needing to be signed by the Supervisor.

RESOLUTION #11-13 AUTHORIZING THE SUPERVISOR TO SIGN  
NEGATIVE  
DECLARATION FOR A SHORT ENVIRONMENTAL QUALITY REVIEW (SEQR)  
FORM FOR GLENN SAILE -

The following resolution was presented by Kim Park, moved by Dallas Youngman, seconded by Adam Ellis,

WHEREAS, Glenn Saile has requested to expand his deck

by 217

feet that is attached to his cottage located at 8459 East Port Bay Road in a waterfront area; and

WHEREAS, our Local Law #1-2000 requires a special permit to expand in a waterfront area; and

CODE ENFORCEMENT OFFICER - (cont'd)

RESOLUTION - (cont'd)

WHEREAS, the Code Enforcement Officer has reviewed said project and feels a negative declaration is in order; and

WHEREAS, the Town Board concurs with the Code Enforcement Officer and sees no negative impact environmentally;

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes the Supervisor to sign a negative declaration for said project.

VOTE - AYES 4 NAYS 0.

2. Don brought to the attention of the Board certain sections of our land use laws that might need to be modified. Discussion. Don will bring this before the local Planning Board for possible re-recommendations to bring back to the Town Board.

3. Don explained that two individuals who paid for special permits did not have to do so and needed to be refunded their money.

RESOLUTION #12-13 AUTHORIZING REFUNDS TO CHRIS LOVELESS AND CRAIG BARRESE FOR SPECIAL PERMIT FEES -

The following resolution was presented by Kim Park, moved by Dallas Youngman, seconded by Adam Ellis,

WHEREAS, the two above mentioned residents were each charged \$100.00 for special permit fees in error; and

WHEREAS, the errors must be corrected and the fees returned;

NOW, THEREFORE, BE IT RESOLVED, to refund \$100.00 each to Chris Loveless and Craig Barrese.

VOTE - AYES 4 NAYS 0.

4. Don recommended that Kenneth Kieliszak be appointed to the advertised vacancy on the Planning Board.

RESOLUTION #13-13 APPOINTING KENNETH KIELISZAK TO PLANNING BOARD

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

WHEREAS, the Planning Board has a vacancy with the term of said vacancy expiring on March 31, 2014; and

WHEREAS, the Board realizes the need to fill said vacancy in order to have a functioning Planning Board; and

WHEREAS, the Town advertised and received the applicant of Kenneth Kieliszak; and

WHEREAS, the Board wishes to appoint him;

NOW, THEREFORE, BE IT RESOLVED, Kenneth Kieliszak is appointed

to the Planning Board for a term expiring March 31, 2014.

VOTE - AYES 4 NAYS 0.

CODE ENFORCEMENT OFFICER - (cont'd)

5. Don stated that Amber's term on the Planning Board was ex-piring and she needed to be re-appointed.

RESOLUTION #14-13 RE-APPOINTING AMBER ROBERTS TO THE PLANNING BOARD -

The following resolution was presented by Kim Park, moved by Dallas Youngman, seconded by Adam Ellis,

WHEREAS, the appointment of Amber Roberts to the Planning Board expires March 31, 2013; and

WHEREAS, the Town needs to fill said position; and

WHEREAS, the Town and Amber Roberts have both agreed to continue said appointment;

NOW, THEREFORE, BE IT RESOLVED, Amber Roberts is re-appointed to the Planning Board for a 5-year term beginning April 1, 2013, thru March 31, 2018.

VOTE - AYES 4 NAYS 0.

6. Don informed the Board that the 911 center has installed software so that addresses of the places with the red "x's" can be emailed to them and they will red flag them in their system to alert the fire departments, police officers, etc. of any call that comes in for those addresses that they are probably vacant and potentially hazardous and they should use their discretion as to whether or not to enter those buildings. Supervisor Park interjected at this point and discussed a resolution regarding a couple of bills pending in the Assembly regarding support for NYS - contact information for va-cant structures. No action was taken on this resolution.

7. Don will be attending a meeting at the Newark Country Club next Tuesday, Feb. 26th, put on by the Department of State regarding emergency disasters and the responsibilities of towns, code officials, etc.

8. Don attended a meeting on January 30th at the Wayne County Emergency Management Office where the topic was also on disaster preparedness. He gave details on how we as an individual town should be prepared for any potential disaster. Don recommended the town look into purchasing a generator as part of the process.

TOWN CLERK - Dawn Krul

1. The Town Clerk thanked Chris Loveless and his crew for get-ting the window installed in the door to her office.

HIGHWAY - Scott Maybe

1. Scott had the Town Board sign the agreement to spend highway CHIPS money.

2. Kim discussed with the rest of the Board possible funding for the Eades Road bridge. We would have to contribute some of our own funds as well, but if this goes through and we bring it up to specs, it could be turned over to the County.

SUPERVISOR - Kim Park

1. Kim stated the Waters/Red Creek Road Water District is soon to be closed out. The RPZ valve has been installed at the town barn It has been inspected and the Department of Health has approved it.

2. Kim referred to the Blind Sodus Bay Sewer District and that no one had desired a permissive referendum within the allotted time.

She also touched on some more of the details concerning this project and presented two resolutions.

RESOLUTION #15-13

TOWN OF WOLCOTT

BLIND SODUS BAY SANITARY SEWER SYSTEM

SEQR RESOLUTION - INTENT TO DECLARE LEAD AGENCY STATUS

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

WHEREAS, the Wolcott Town Board considered the Blind Sodus Bay Sanitary Sewer System project in the spring of 2011 and

completed an environmental review of the project under SEQR by issuing a Negative Declaration on June 20, 2011, and

WHEREAS, several changes to the project have occurred as a result of continued planning since that time. Specifically, additional sewer main is being proposed in several small portions of the project area, and the Town is requesting funding assistance from the NYS Environmental Facilities Corporation, as well as from USDA Rural Development, and

WHEREAS, the NYS Environmental Facilities Corporation was not included as an involved agency in the original SEQR process and therefore its environmental review requirements for providing funding assistance were not met. In order to meet those requirements, the full Environmental Assessment Form has been prepared and will be re-circulated to involved agencies, including the Environmental Facilities Corporation.

SUPERVISOR - (cont'd)

RESOLUTION - (cont'd)

"NOW, THEREFORE, BE IT RESOLVED, that in accordance with the New York State Environmental Quality Review (SEQR) regulations, the Town Board of the Town of Wolcott hereby announces its intent to serve as Lead Agency to conduct an environmental review of a series of sanitary sewer improvements to serve the Town of Wolcott Blind Sodus Bay Sanitary Sewer System. A total of 23,000 linear feet of sewer main will be installed along portions of Blind Sodus Bay Road, Metzger Drive, Ingersoll Drive, Ingersoll Lane, Wright Road, King Road, and an easement across private properties between Metzger Drive and Ingersoll Drive, and be it

FURTHER RESOLVED, that the Town Board hereby accepts Part

1 of the Environmental Assessment of this project, prepared by Stuart I. Brown Associates, Inc., and be it

FURTHER RESOLVED, the Town Board will notify the Involved Agencies of its intention to act as Lead Agency for this project and will provide them with a copy of Part 1 of the full Environmental Assessment Form for review during the 30-day comment period.

VOTE - AYES 4 NAYS 0 .

RESOLUTION #16-13 AUTHORIZING THE SUPERVISOR TO SIGN AGREEMENT WITH TIM MCGILL TO SERVE AS BOND COUNSEL FOR THE BLIND SODUS BAY SANITARY SEWER SYSTEM -

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

WHEREAS, the Town has formed the Blind Sodus Bay Sanitary Sewer District; and

WHEREAS, the Town will be moving ahead with the project and needing bond counsel;

NOW, THEREFORE, BE IT RESOLVED, the Supervisor is authorized to sign agreement with Tim McGill for bond counsel for the Blind Sodus Bay Sanitary Sewer System per attached proposal.

VOTE - AYES 4 NAYS 0 .

4. Kim revisited the policy she wrote and handed out last month designating and spelling out the rules of order regarding privilege of the floor. She asked for any comments or questions on this and there were none. The policy was accepted and will be kept on hand for anyone desiring privilege of the floor.

5. Kim commented that the front steps on the Town Hall are al-most completed.

6. Kim said once again this year the Workforce Development Work Experience Program will send someone to help wherever needed. In the past, the highway department has utilized this program. Kim gave the paperwork to Scott for him to possibly take advantage of their offer.

SUPERVISOR - (cont'd)

7. Kim presented a letter from Lonny Drake informing the Board of the need for him to resign from the fire advisory board due to a conflict of interest as he works for Emergency Management. Lonny has suggested his brother, Howard Drake, as a replacement. Kim will call Howard and revisit this next month.

8. Fire & Ambulance Contracts -

RESOLUTION #17-13 2013 WOLCOTT FIRE CONTRACT -

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

WHEREAS, the Town of Wolcott must have fire protection; and

WHEREAS, the Village of Wolcott Fire Department handles a portion of the town; and

WHEREAS, the Town Board desires for the town to have such protection;

NOW, THEREFORE, BE IT RESOLVED to authorize the Supervisor to sign and contract with the Village of Wolcott Fire Department and to pay them the sum of \$26,456.10 for their services.

VOTE - AYES 4 NAYS 0.

RESOLUTION #18-13 2013 RED CREEK FIRE CONTRACT -

The following resolution was presented by Kim Park, moved by Dallas Youngman, seconded by Adam Ellis,

WHEREAS, the Town of Wolcott must have fire protection; and

WHEREAS, the Village of Red Creek Fire Department handles a portion of the town; and

WHEREAS, the Town Board desires for the town to have such protection;

NOW, THEREFORE, BE IT RESOLVED to authorize the

Supervisor to sign and contract with the Village of Red Creek Fire Department and to pay them the sum of \$30,576.00 for their services.

VOTE - AYES 4 NAYS 0 .

RESOLUTION #19-13 2013 FAIR HAVEN FIRE CONTRACT -

The following resolution was presented by Kim Park, moved by Dallas Youngman, seconded by Adam Ellis,

WHEREAS, the Town of Wolcott must have fire protection; and

WHEREAS, the Fair Haven Volunteer Fire Department covers a portion of the town; and

WHEREAS, the Town Board desires for the town to have such protection;

SUPERVISOR - (cont'd)

RESOLUTION - (cont'd)

NOW, THEREFORE, BE IT RESOLVED to authorize the Supervisor to sign and contract with the Fair Haven Volunteer Fire Department and to pay them the sum of \$13,753.00 for their services.

VOTE - AYES 4 NAYS 0 .

RESOLUTION #20-13 2013 WOLCOTT AMBULANCE CONTRACT -

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

WHEREAS, the Town of Wolcott must have ambulance coverage; and

WHEREAS, the Wolcott Volunteer Ambulance covers a portion of the town; and

WHEREAS, the Town Board desires for the town to have such coverage:

NOW, THEREFORE, BE IT RESOLVED to authorize the Supervisor to sign and contract with the Wolcott Volunteer

Ambulance and to pay them the sum of \$10,000.00 for their services.

VOTE - AYES 4 NAYS 0 .

RESOLUTION #21-13 2013 RED CREEK AMBULANCE CONTRACT -

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

WHEREAS, the Town of Wolcott must have ambulance coverage; and

WHEREAS, the Red Creek Volunteer Ambulance covers a portion of the town; and

WHEREAS, the Town Board desires for the town to have such cover-age;

NOW, THEREFORE, BE IT RESOLVED to authorize the Supervisor to sign and contract with the Red Creek Volunteer Ambulance and to pay them the sum of \$8,804.00 for their services.

VOTE - AYES 4 NAYS 0 .

RESOLUTION #22-13 2013 FAIR HAVEN AMBULANCE CONTRACT

The following resolution was presented by Kim Park, moved by Dallas Youngman, seconded by Adam Ellis,

WHEREAS, the town of Wolcott must have ambulance coverage; and

WHEREAS, the Village of Fair Haven covers a portion of the town;  
and

SUPERVISOR - (cont'd)

RESOLUTION - (cont'd)

WHEREAS, the Town Board desires for the town to have such cover-age;

NOW, THEREFORE, BE IT RESOLVED to authorize the Supervisor to sign and contract with the Fair Haven Village Ambulance and to pay them the sum of \$3,351.00 for their services.

VOTE - AYES 4 NAYS 0 .

9. RESOLUTION #23-13 AUTHORIZING TRANSFER OF \$92,000 FROM THE HIGHWAY CHECKING TO HIGHWAY CD -

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

WHEREAS, the CHIPS (Consolidated Highway Improvement Project) funding was late arriving to respective towns; and

WHEREAS, these funds were needed for payments and budgeting issues; and

WHEREAS, the Town transferred \$92,000 from the Highway CD to Highway Checking to accomodate the late payment; and

WHEREAS, CHIPS funding has now been received and the Town needs to reimburse itself;

NOW, THEREFORE, BE IT RESOLVED, to authorize the bookkeeper to transfer \$92,000 from Highway Checking to Highway CD.

VOTE - AYES 4 NAYS 0 .

10. RESOLUTION #24-13 AUTHORIZING TRANSFER OF \$70,000 FROM HIGHWAY CHECKING TO HIGHWAY EQUIPMENT CD -

The following resolution was presented by Kim Park, moved by Dallas Youngman, seconded by Adam Ellis,

WHEREAS, the Town plans for equipment purchases in the future

and plans accordingly; and

WHEREAS, the Town desires to save for another Highway purchase in the future;

NOW, THEREFORE, BE IT RESOLVED, to authorize the bookkeeper to transfer \$70,000 from Highway Checking to Highway Equipment CD.

VOTE - AYES 4 NAYS 0 .

SUPERVISOR - (cont'd)

11. RESOLUTION #25-13 AMENDING DECEMBER 2012 HIGHWAY ABSTRACT IN THE AMOUNT OF \$90.49 -

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

WHEREAS, a bill was on the November 2012 Highway Abstract and paid in November to Lakeland Equipment in the amount of \$90.49; and

WHEREAS, this bill, in error, was also placed on the December 2012 Highway Abstract; and

WHEREAS, this bill must be deducted from the December 2012 High-way Abstract;

NOW, THEREFORE, BE IT RESOLVED, to amend the December 2012 High-way Abstract by deducting \$90.49 paid to Lakeland Equipment.

VOTE - AYES 4 NAYS 0 .

12. RESOLUTION #26-13 AMENDING JANUARY 2013 GENERAL ABSTRACT AND JANUARY 2013 PORT BAY ABSTRACT -

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

WHEREAS, a payment to Tim McGill was on the December

2012 Gen-  
eral Abstract and paid in the amount of \$4,674.69; and  
WHEREAS, a payment to NYS ORPTS was on the December 2012  
Port  
Bay Abstract and paid in the amount of \$40.00; and  
WHEREAS, both of the above payments were included in  
the January  
2013 General and Port Bay Abstracts; and  
WHEREAS, these were paid in error and would result in  
overpay-ment; and  
WHEREAS, the January 2013 General and Port Bay  
Abstracts must be amended to remove both said payments;  
NOW, THEREFORE, BE IT RESOLVED, to amend the January  
2013 Gen-eral and Port Bay Abstracts by removing payment  
to Tim McGill in the amount of \$4,674.69 and removing  
payment to NYS ORPTS in the amount of \$40.00 from their  
respective abstracts.  
VOTE - AYES 4 NAYS 0 .

EXECUTIVE SESSION -

A motion was made by Kim Park, seconded by Adam Ellis  
to move into executive session at 7:15 PM to discuss Highway  
contract nego-tiations. VOTE - AYES 4 NAYS 0 .  
(Everyone left at this time except for the Board and the  
bookkeeper, Amber Roberts.)

CLOSE EXECUTIVE SESSION -

A motion was made by Kim Park, seconded by Jeff Keller,  
to close executive session at 7:44 PM. VOTE - AYES 4  
NAYS 0 .

The next regular meeting of the Wolcott Town Board will  
be held Mar. 19, 2013, at 6:00 PM at the Town Hall.

A motion was made by Dallas Youngman, seconded by Jeff Keller,  
to adjourn the meeting at 7:45 PM.

submitted,

Respectfully

Dawn M. Krul,  
Town Clerk





