

REGULAR MEETING & PUBLIC HEARING
WOLCOTT TOWN BOARD - February 16, 2021

A regular meeting and public hearing of the Wolcott Town Board was held Tuesday, February 16th, 2021, at 6:00 PM at the Town Hall with the following people present:

PRESENT - Supervisor - Lynn Chatfield
Councilman - Adam Ellis, Jr. (ABSENT)
Councilman - Daniel Youngman (ABSENT)
Councilwoman - Lori Furguson
Councilman - Derek Ceratt

OTHERS PRESENT - Jessica Freer, Town Clerk; Amber Roberts, Assessor/Supervisor's Clerk; Don Camp, Code Enforcement Officer; Zach Decker, Highway Superintendent; Dave Doyle, MRB Group; John Freer, 12735 Church St., Wolcott; Roger Misso, Town Justice; Matthew St. Martin, 605 Mason St, Newark;

Copies presented to the Town Board:

1. Minutes of January 19, 2020 (Regular Meeting)
2. General Fund Claims (Unaudited)
3. Highway Fund Claims (Unaudited)
4. Port Bay SD Fund Claims (Unaudited)
5. Brown/Wadsworth Rd WD Fund Claims (Unaudited)

The Supervisor's, Town Clerk's, Justices, Code Enforcement Officer's and Highway Superintendent's reports were presented to the Town Board.

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

Pledge of Allegiance -

OPEN PUBLIC HEARING - Transfer of Funds

Supervisor Chatfield declared the Public Hearing open at 6:02 PM and asked the Town Clerk to read the notice of Public Hearing on the transfer of funds and to show proof of publication.

Supervisor Chatfield asked for comments or questions from the floor.

CLOSE PUBLIC HEARING -

A motion was made by Lori Furguson, seconded by Derek Ceratt to close the Public Hearing at 6:04 PM. VOTE- AYES 3 NAYS 0.

RESOLUTION #3-21 AUTHORIZING THE TRANSFER OF \$130,000.00 FROM
HIGHWAY EQUIPMENT RESERVE TO HIGHWAY EQUIPMENT CHECKING ACCOUNT -

The following resolution was presented by Lori Furguson, moved by Derek Ceratt, seconded by Lynn Chatfield,

WHEREAS, the Highway Department has been authorized by the Town Board to purchase a Western Star Plow (Tracey Road Equip.) and accessories in the amount of \$190,550.38 and a Case 721 Loader (Monroe Tractor) in the amount of \$39,616.22, for a total of \$230,166.60; and

WHEREAS, it is necessary to transfer funds in the amount of \$130,000.00 to purchase the above items;

NOW, THEREFORE, BE IT RESOLVED, to transfer \$130,000.00 from the Highway Equipment Reserve to the Highway Equipment Checking Account to purchase the Highway Equipment.

VOTE - AYES 5 NAYS 0.

GENERAL BUSINESS -

MRB GROUP -

**RESOLUTION # 4-21
TOWN OF WOLCOTT
BLIND SODUS BAY WATER DISTRICT
SEQR RESOLUTION
DESIGNATING LEAD AGENCY**

The following resolution was presented by Derek Ceratt, moved by Lori Furguson, seconded by Lynn Chatfield,

WHEREAS, the Town of Wolcott Town Board (hereinafter referred to as "Town Board") on December 29, 2020 declared its intent to be designated the Lead Agency for the Town of Wolcott Blind Sodus Bay Water District under the provisions of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Town Board has provided written notices to this effect to the involved and interested agencies; and

WHEREAS, the Town Board has not received any written objections from the involved agencies to the Town Board being designated as the lead agency under the SEQR Regulations; and

WHEREAS, the Town Board has previously determined that it is the most appropriate agency to insure the coordination of this Action and for making the determination of significance thereon under the SEQR Regulations.

NOW, THEREFORE BE IT RESOLVED that the Town Board does hereby designate itself as the lead agency for the Action identified above herein;

VOTE - AYES 3 NAYS 0.

GENERAL BUSINESS - (cont'd)

MRB GROUP - (cont'd)

RESOLUTION #5-21

TOWN OF WOLCOTT

BLIND SODUS BAY WATER DISTRICT

SEQR RESOLUTION

DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE

The following resolution was presented by Derek Ceratt, moved by Lori Furguson, seconded by Lynn Chatfield,

WHEREAS, the Town of Wolcott Town Board (hereinafter referred to as "Town Board") has determined the above referenced Action to be a Type 1 Action pursuant to Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

HEREAS, the Town Board has reviewed and accepted the completed Full Environmental Assessment Form Parts 1, 2, and 3 including the supporting information on the Action prepared by the MRB Group (hereinafter referred to as "Town Engineer"); and

HEREAS, the Town Board has completed the coordinated review and public comment period provided for under the SEQR Regulations; and

HEREAS, the Town Board has designated itself as lead agency under the SEQR Regulations for making the determination of significance upon said action by a separate resolution at the February 16, 2021 meeting; and

HEREAS, the Town Board has given consideration to the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQR Regulations and the information contained in Full Environmental Assessment Form Parts 1, 2, and 3.

OW THEREFORE BE IT RESOLVED, that said Action WILL NOT result in any significant adverse environmental impacts based on the review of the Full Environmental Assessment Form; and

BE IT FINALLY RESOLVED that the Town Board does hereby make a Determination of Non-Significance on said Action, and the Town Supervisor is hereby directed to sign the Full Environmental Assessment Form (EAF) Part 3, the Negative Declaration, as evidence of the Town Board determination of environmental non-significance.

VOTE - AYES 3 NAYS 0.

Dave Doyle brought to our attention a correction to the over/under amendment credit for Brown/Wadsworth Rd WD that was signed last month, he said there was a last minute invoice submitted by a contractor. Dave said there still is a credit just a smaller credit amount than what was signed last month.

Dave left the meeting at 6:16PM

MATTHEW R. ST. MARTIN, ESQ - Matthew attended the meeting tonight to speak about offering his services for being the Attorney for the Town of Wolcott. Matthew spoke about his previous and current practice legal experience. He answers questions regarding his practice in Newark and how he would handle certain cases. Lynn said due to the fact that two Board Members were not in attendance he did not feel comfortable giving an answer regarding this appointment. Lynn said he will discuss it next month; Matthew thanked the Board for this opportunity to speak.

Matthew left the meeting at 6:25PM

GENERAL CORRESPONDENCE -

No Correspondence this month.

A motion was made by Derek Ceratt, seconded by Lori Furguson to accept the minutes of January 19, 2021 and departmental reports. VOTE - AYES 3 NAYS 0.

ABSTRACT OF CLAIMS -

GENERAL ACCOUNT - Claims #37 thru #62 - total - \$9,408.68

HIGHWAY ACCOUNT - DA Town wide & DB Outside - total - \$32,584.17

PORT BAY SD - Claims #7 thru #9 - total - \$19,542.36

BROWN/WADSWORTH RD WD - Claim #2 - total - \$2,400.00

A resolution was presented by Derek Ceratt, moved by Lori Furguson, seconded by Lynn Chatfield "Be it RESOLVED to pay General, Highway, Port Bay SD and Brown/Wadsworth Rd WD account claims as presented." VOTE - AYES 3 NAYS 0.

ASSESSOR/SUPERVISOR'S CLERK - Amber Roberts

1. RESOLUTION #6-21 AUTHORIZING AN ARTICLE 7 SETTLEMENT FOR 9469 AND 9489 INGERSOLL DRIVE BROUGHT BY CYPRIS, INC. -

The following resolution was presented by Derek Ceratt, moved by Lori Furguson, seconded by Lynn Chatfield

WHEREAS, a settlement agreement for the Article 7 proceedings brought by Cypris, Inc., has been submitted by Amber Roberts, the Assessor for the Town of Wolcott, and recommended by Harter Secrest & Emery LLP, Megan K. Dorritie Esq., special counsel for the Town of Wolcott for this tax certiorari matter.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Wolcott formally approves a settlement with Cypris, Inc. on the following terms:

1. The 2021 assessment for Cypris, Inc.'s property at 9469 Ingersoll Drive shall be set at \$83,700.00.
2. The 2021 assessment for Cypris, Inc.'s property at 9489 Ingersoll Drive shall be set at \$40,000.00.
3. The settlement shall be governed by § 727 of the Real Property Tax Law for the 2021, 2022 and 2023 assessments, with all applicable exceptions to § 727, including exceptions for constructions and/or improvements on the property and a town-wide revaluation.

BE IT FURTHER RESOLVED, that counsel for the Town may execute all documents necessary to formalize this settlement.

This resolution shall take effect immediately upon its adoption.

ASSESSOR/SUPERVISOR'S CLERK - (cont'd)

RESOLUTION - (cont'd)

On Roll Call Vote - Chatfield "YES", Ellis ABSENT Youngman "ABSENT"
Ferguson "YES", Ceratt "YES".

RESOLUTION #7-21 AUTHORIZING THE SUPERVISOR'S CLERK TO TRANSFER
\$10,000.00 FROM HIGHWAY CHECKING TO CAPITAL ROAD RESERVE CD -

The following resolution was presented by Derek Ceratt, moved by Lori Ferguson, seconded by Lynn Chatfield,

WHEREAS, Supervisor's Clerk has been authorized by the Town Board to deposit monies into this account when necessary; and

WHEREAS, the purpose of this Reserve Fund is to accumulate moneys to finance the cost of a type of capital improvement.

NOW, THEREFORE, BE IT RESOLVED, to transfer \$10,000.00 from the highway checking account to the Capital Road Reserve CD.

VOTE - AYES 3 NAYS 0 .

RESOLUTION #8-21 AUTHORIZING THE SUPERVISOR'S CLERK TO TRANSFER
\$3,000.00 FROM HIGHWAY CHECKING TO HIGHWAY CD -

The following resolution was presented by Derek Ceratt, moved by Lori Ferguson, seconded by Lynn Chatfield,

WHEREAS, Supervisor's Clerk has been authorized by the Town Board to deposit monies into this account when necessary; and

WHEREAS, the purpose of this transfer is to replace monies that have been spent from this account previously,

NOW, THEREFORE, BE IT RESOLVED, to transfer \$3,000.00 from the highway checking account to the Highway CD.

VOTE - AYES 3 NAYS 0 .

RESOLUTION #9-21 AUTHORIZING THE SUPERVISOR'S CLERK TO TRANSFER
\$10,000.00 FROM GENERAL CHECKING TO BUILDING CAPITAL CD -

The following resolution was presented by Lori Ferguson, moved by Derek Ceratt, seconded by Lynn Chatfield,

WHEREAS, Supervisor's Clerk has been authorized by the Town Board to deposit monies into this account when necessary; and

WHEREAS, the purpose of this Reserve Fund is to accumulate moneys to finance the cost of a type of capital improvement.

NOW, THEREFORE, BE IT RESOLVED, to transfer \$10,000.00 from the General checking account to the Building Capital CD.

VOTE - AYES 3 NAYS 0 .

HIGHWAY - Zach Decker

1. Zach said after discussions with the state, it was decided to spend 100% of the CHIPS money this year and not rely on rollover funds, if there was a possibility NYS were to take the balance of the CHIPS money. Zach is submitting for the balance of the CHIPS, which will end up being around \$71,000.00. As there will be no rollover money in the account there are concerns of what the State will declare next year for CHIPS funding.

2. Zach said the new truck is coming soon. Zach would like to declare the 2002 Sterling 10 Wheeler into surplus to clear room for the new truck.

A motion made by Lori Furguson, seconded by Derek Ceratt to declare the above item as surplus and approval to advertise surplus items at auction.

VOTE - AYES 3 NAYS 0 .

3. Zach also said the new Wheel loader will be at the Highway Department next week.

4. Zach had used a snow pusher from one of the Highway Employees personal equipment and would like to purchase it for the Town for a price of \$1,800.00 from TJ Azzolina. Zach said various Towns found it more time and cost effective for certain circumstances during snow removal. The Board will allow this purchase.

CODE ENFORCEMENT OFFICER - Don Camp

1. RESOLUTION #10-21 AUTHORIZING THE SUPERVISOR TO SIGN NEGATIVE DECLARATION FOR A SHORT ENVIRONMENTAL QUALITY REVIEW (SEQR) FORM FOR GRIFFITHS ENGINEERING/DOLLAR GENERAL -

The following resolution was presented by Derek Ceratt, moved by Lori Furguson, seconded by Lynn Chatfield,

WHEREAS, Griffiths Engineering would like to build a 141' x 71' structure on a portion of 6523 Route 104A for a new Dollar General; and

WHEREAS, our Local Law #1-2000 Section 501-C which requires a special permit for commercial uses in an agricultural district; and

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

WHEREAS, the Town Board, upon review, 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 3 NAYS 0 .

RESOLUTION #11-21 AUTHORIZING THE SUPERVISOR TO SIGN NEGATIVE DECLARATION FOR A SHORT ENVIRONMENTAL QUALITY REVIEW (SEQR) FORM FOR BRYAN POPPVICI-

The following resolution was presented by Derek Ceratt, moved by Lori Furguson, seconded by Lynn Chatfield,

CODE ENFORCEMENT OFFICER - (cont'd)

RESOLUTION - (cont'd)

WHEREAS, Bryan Poppvici had previously demolished his cottage at 7835 Eagle Rd, he would like to build a new cottage bigger than what was previously there; and

WHEREAS, our Local Law #1-2000, Section 502-C, states special permits are required to expand pre-existing structures on less than one acre of land in waterfront area; and

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

WHEREAS, the Town Board, upon review, 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 3 NAYS 0 .

TOWN CLERK - Jessica Freer

1. Jessica said the total tax amount collected to date is \$2,448,597.85, there is around \$800,000.00 left in outstanding taxes due but residents have until March 31st, 2021 to pay at the office. Jessica has said previously that around \$400,000.00 is usually left unpaid by the end of March. Next meeting she will update the Board on the new amounts.

SUPERVISOR - Lynn Chatfield

OLD BUSINESS -

1. Brown/Wadsworth Road Water District - Amber said there still needs to be a final budget report compiled so the project is not finalized yet.

RESOLUTION #12-21 BUDGET INCREASE MISCELLANEOUS EXPENSES

BROWN/WADSWORTH WATER DISTRICT -

The following resolution was presented by Derek Ceratt, moved by Lori Furguson, seconded by Lynn Chatfield,

WHEREAS, the Town of Wolcott developed the budget for the Brown/Wadsworth Water District project based on estimates for the costs of Miscellaneous expenses; and

WHEREAS, the actual costs for the Miscellaneous expenses were higher than anticipated.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes an increase of \$104.36 to the budget for the Miscellaneous expenses (from \$1,000.00 to 1,104.36) with corresponding decrease in the Contingency.

VOTE - AYES 3 NAYS 0 .

2. Building Maintenance - Zach said there is a School Program with Cody Lapp where students are paid through the program to do community work. It was suggested we contact them to do some projects around Spring/Summer time.

SUPERVISOR - (cont'd)
OLD BUSINESS - (cont'd)

- Landscape around building
- Sign for Building
- Courtroom Window Screens

3. Policies -

RESOLUTION #13-21 ADOPTION OF PUBLIC EMPLOYER HEALTH EMERGENCY PLAN FOR THE TOWN OF WOLCOTT -

The following resolution was presented by Lori Furguson, moved by Derek Ceratt, seconded by Lynn Chatfield,

WHEREAS, This plan has been developed in accordance with the amended New York State Labor Law section 27-c and New York State Education Law paragraphs k and l of subdivision 2 of section 2801-a (as amended by section 1 of part B of chapter 56 of the laws of 2016), as applicable. These laws were amended by the passing of legislation S8617B/A10832 signed by the Governor of New York State on September 7, 2020, requires public employers to adopt a plan for operations in the event of a declared public health emergency involving a communicable disease. The plan includes the identification of essential positions, facilitation of remote work for non-essential positions, provision of personal protective equipment, and protocols for supporting contact tracing.

WHEREAS, this plan is pertinent to a declared public health emergency in the State of New York which may impact our operations; and it is in the interest of the safety of our employees and contractors, and the continuity of our operations that we have promulgated this plan.

NOW, THEREFORE, BE IT RESOLVED, the Town of Wolcott adopts the attached Public Employer Health Emergency Plan.

VOTE - AYES 3 NAYS 0

NEW BUSINESS -

1. The tentative Spring Cleanup Day will be June 19th, 2021 from 9am-1pm, an ad will be place in the Shopper and an Electronics Recycling will be held in the fall.

1. 2nd Judge - There is a vacancy for Town Justice since Hank Krasucki resigned, Jessica will place an ad in the paper asking for residents to submit a Letter of Interest for the position, and the vacancy will be discussed at the next Board Meeting.

Privilege of the Floor -

1. John Freer spoke about the Town Justice vacancy, he said he would like to be considered for the position and spoke about his time as being a contributing member of the community. John said he will submit a Letter of Interest as asked by the Town Board.

