

REGULAR MEETING - WOLCOTT TOWN BOARD - MARCH 21, 2013

A regular meeting of the Wolcott Town Board was held Thurs., Mar 21, 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

OTHERS PRESENT - Dawn Krul, Town Clerk; Donald Camp, Code Enforcement Officer; Scott Maybe, Highway Supt.; Donald Dates, Highway Dept.

Copies presented to the Town Board:

1. Minutes of February 19, 2013 (Regular Meeting)
2. General Fund Claims (Unaudited)
3. Highway Fund Claims (Unaudited)

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

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

SPECIAL PERMIT REQUEST - Glenn Saile  
6 Ashwood Circle  
Rochester, NY 14624  
Property Location - 8459 East Port Bay Rd.  
Wolcott, NY 14590  
Tax Map #75120

Code Enforcement Officer, Don Camp, presented Special Permit Request #3-2013, which was brought before the Town Board Feb. 19, 2013, at which time a negative impact was

declared on the environment and signed by the Supervisor. It was then taken to the County Planning Board for review and brought back to our Planning Board on March 4, 2013. Request regarding Town of Wolcott Local Law #1-2000 Section 502-C, to add 217 square feet to an existing deck in a waterfront area.

Don stated the County and Local Planning Boards approved the request and he didn't get a negative response from any of the neighbors.

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

VOTE - AYES 5 NAYS 0 .

GENERAL BUSINESS -

GENERAL CORRESPONDENCE -

1. Packet from Stuart Brown Associates, acting on behalf of the Town of Butler, notifying us of the town's proposed land use regulations. Their public hearing was held March 11, 2013.

2. Letter of resignation from our Town Hall custodian, Rhonda Kerr. She will stay until March 31st or until a replacement can be found, whichever comes first.

3. Letter from John Piczkur, WA CO SCOPE Chairman urging us to pass a resolution against Gov. Cuomo's Legislative Action known as the New York State Safe Act.

4. Letter from Wayne County 911 Emergency Communications Department informing us of the possible construction of a communications tower on Foster-Mead Road in the Town of Butler.

A motion was made by Kim Park, seconded by Adam Ellis, to accept the minutes of February 19, 2013, general correspondence and departmental reports. VOTE - AYES 5 NAYS 0 .

ABSTRACT OF CLAIMS -

GENERAL ACCOUNT - Claims #78 thru #117 - total -  
\$11,732.19

HIGHWAY ACCOUNT - DA Townwide - total - \$27,215.10

A resolution was presented by Kim Park, moved by Dallas Youngman seconded by Jeff Keller "Be it RESOLVED to pay General and Highway claims as presented." VOTE - AYES 5 NAYS 0 .

ASSESSOR/BOOKKEEPER - Amber Roberts (ABSENT)

Amber was unable to attend tonight's meeting.

HIGHWAY - Scott Maybe

1. Scott said one of the overhead door openers at the highway garage has quit working altogether. He had two estimates for re-placing the opener: Finger Lakes Garage Door Co., Inc. - \$975.00; and Tri-Co Door NY, Inc. - \$1,758.00. After a brief discussion, Scott and the Board agreed to go with Finger Lakes Garage Door Co. Scott will contact them and order the opener.

CODE ENFORCEMENT OFFICER - Don Camp

1. Don had an environmental form needing to be signed by the Supervisor and approved by the Board.

RESOLUTION #27-13 AUTHORIZING THE SUPERVISOR TO SIGN  
NEGATIVE DECLARATION FOR A SHORT ENVIRONMENTAL QUALITY  
REVIEW (SEQR) FORM FOR ZACHARY TACCONE -

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

WHEREAS, Zachary Taccone has requested to replace an  
existing structure with a 12' x 24' 2-story structure for  
seasonal use; and

WHEREAS, our Local Law #1-2000, section 502-c,  
requires a special permit to expand in a 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 concurs and sees no negative  
impact en-vironmentally;

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

VOTE - AYES 5 NAYS 0.

2. Don stated the Town Planning Board will be going  
over the current local law to see if it needs to be modified.

3. Don mentioned he just finished with code school  
which gave him enough hours to be certified for the year.

4. Don will be attending more schooling next week in  
Ontario County to get updated on the new regulations for  
septic systems.

5. Don also apprised the Board of changes the state  
is making regarding the energy codes for commercial  
occupancies. He will need to have 6 hours of training on  
this at some point this year.

TOWN CLERK - Dawn Krul

1. The Town Clerk said Mary Anne has been seeing a lot  
of ants in the courtroom. She asked what course of action  
the Board wanted to take regarding this. Councilman Ellis

will set aside something at Wolcott Building Supply to hopefully take care of the problem.

2. The Town Clerk has received numerous bids for the advertised cleaning position at the Town Hall. Upon review of those bids, the Board felt Linda Hosier had submitted the most detailed bid, with references, for a very reasonable amount. The Town Clerk will send a letter of appreciation to the other applicants.

RESOLUTION #28-13 APPOINTING LINDA HOSIER AS THE NEW CUSTODIAN FOR THE TOWN HALL -

The following resolution was presented by Kim Park, moved by Adam Ellis, seconded by Henry Felker,

WHEREAS, the Town is in need of a new custodian due to the resignation of its current custodian; and

WHEREAS, the Town placed an ad in the Wayuga Shopper seeking the submission of bids to fill said position; and

WHEREAS, the Town received numerous responses to fill said position; and

WHEREAS, the Town has reviewed these responses and determined that Linda Hosier had submitted the most detailed bid, with written supporting references, for a very reasonable amount;

NOW, THEREFORE, BE IT RESOLVED, to appoint Linda Hosier as the new custodian for the Town Hall at a monthly rate of \$170.00.

VOTE - AYES 4 NAYS 0. Councilman Youngman ABSTAINED due to a conflict of interest.

SUPERVISOR - Kim Park

1. Kim said many of the surrounding towns are passing a resolution opposing the enactment of the state's safe act. She felt that if the rest of the Board agreed, we should follow suit.

RESOLUTION #29-13 OPPOSING THE PROCESS AND ENACTMENT OF THE NEW YORK STATE SAFE ACT -

The following resolution was presented by Kim Park, moved by Henry Felker, seconded by Dallas Youngman,

WHEREAS, the right of the people to keep and bear arms is guaranteed as an individual right under the Second Amendment to the United States Constitution, as well as New York State Civil Rights Law; and

WHEREAS, this legislation fails to offer any meaningful solutions to gun violence and places increased burdens on the law abiding citizens; and

WHEREAS, in our opinion, there was no reason for the Governor to use a message of necessity to bring this bill to vote immediately and bypass the three day maturing process for all legislation;

NOW, THEREFORE, BE IT RESOLVED, the Wolcott Town Board hereby opposes, and requests the repeal of, the New York State Safe Act as we consider such law to be unnecessary and beyond lawful legislative authority granted to our State representatives.

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

Ellis "YES", Felker "YES".

SUPERVISOR - (cont'd)

2. Kim had several updates and resolutions regarding the Blind Sodus Bay Sewer District.

RESOLUTION #30-13 AUTHORIZING THE SUPERVISOR TO EXECUTE AND SUBMIT AN APPLICATION FOR LOAN AND GRANT ASSISTANCE TO THE USDA RURAL DEVELOPMENT FOR IMPROVEMENTS TO THE BLIND SODUS BAY SANITARY SEWER DISTRICT -

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

"RESOLVED, that the Supervisor of the Town of Wolcott, Wayne County, New York, is hereby authorized as the official representa-tive of the Town to execute and submit the application for loan and grant assistance to the USDA Rural Development for improvements to the Town of Wolcott Blind Sodus Bay Sanitary Sewer District and is hereby directed and authorized to act in connection with the sub-mission of the application and to provide such additional informa-tion and to execute such documents as may be required in connection with obtaining said loan and grant funds.

VOTE - AYES 5 NAYS 0 .

RESOLUTION #31-13 AUTHORIZING THE SUPEVISOR TO SIGN AGREEMENT WITH STUART BROWN ASSOCIATES FOR PREPARATION OF CWSRF APPLICATION -

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

WHEREAS, the Town is eligible for a zero percent (0%) interest loan from the Clean Water State Revolving Fund (CWSRF) due to hard-ship funding; and

WHEREAS, the Town realizes the necessity of said funding to make the project affordable for those in the district; and

WHEREAS, the Town will need assistance in the preparation of said application;

NOW, THEREFORE, BE IT RESOLVED, the Supervisor is authorized to sign agreement with Stuart Brown Associates for preparation of CWSRF funding application at a cost not to exceed \$4,000.

VOTE - AYES 5 NAYS 0.

SUPERVISOR - (cont'd)

RESOLUTION #32-13 AUTHORIZING THE SUPERVISOR TO SIGN AGREEMENT WITH STUART BROWN ASSOCIATES FOR CWSRF PROJECT MANAGEMENT SERVICES FOR THE BLIND SODUS BAY SANITARY SEWER DISTRICT -

The following resolution was presented by Kim Park, moved by Jeff Keller, seconded by Henry Felker,

WHEREAS, the Town is eligible to receive funding from the New York State Environmental Facilities Corporation in the form of a zero percent (0%) interest loan; and

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

WHEREAS, the Town Board recognizes the significance of this funding to make the project affordable for residents; and

WHEREAS, the reporting and administration responsibilities of said grant are very involved and specific; and

WHEREAS, the Town will need assistance to follow Clean Water State Revolving Fund (CWSRF) reporting obligations;



NOW, THEREFORE, BE IT RESOLVED, the Supervisor is authorized to sign agreement with Stuart Brown Associates at a cost not to exceed \$12,000.

VOTE - AYES 5 NAYS 0 .

RESOLUTION #33-13 AUTHORIZING THE SUPERVISOR TO SIGN  
AGREEMENT  
WITH STUART BROWN ASSOCIATES FOR THE BLIND SODUS BAY  
SANITARY SEWER  
DISTRICT USDA RURAL DEVELOPMENT PROJECT MANAGEMENT  
SERVICES -

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

WHEREAS, the Town is eligible to receive a \$750,000 grant for the Blind Sodus Bay Sanitary Sewer District; and

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

WHEREAS, the Town realizes it is in the best interest and afford ability of the project to apply for the \$750,000 grant; and

WHEREAS, the Town will need assistance in the management and re-reporting for said grant;

NOW, THEREFORE, BE IT RESOLVED, the Supervisor is authorized to sign agreement with Stuart Brown Associates for USDA Rural Develop-ment Management Services at a cost not to exceed \$8,000.

VOTE - AYES 5 NAYS 0 .

SUPERVISOR - (cont'd)

RESOLUTION #34-13 AUTHORIZING THE SUPERVISOR TO SIGN  
LEGAL SERVICES AGREEMENT WITH TOWN ATTORNEY FOR THE BLIND  
SODUS BAY SANI-TARY SEWER DISTRICT -

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

WHEREAS, the Town has been invited to apply for a  
\$750,000 grant from USDA Rural Development for the Blind  
Sodus Bay Sanitary Sewer Project; and

WHEREAS, it is required to have legal counsel for said  
project; and

WHEREAS, the Town wishes to utilize our Town attorney,  
Art Wil-liams as legal counsel for said project;

NOW, THEREFORE, BE IT RESOLVED, the Supervisor is  
authorized to sign agreement with Art Williams for legal  
services for said project at \$165.00 per hour at a cost not  
to exceed \$4,500.

VOTE - AYES   5   NAYS   0  .

3. Kim went over the estimate submitted by Chris  
Loveless re-garding the potential storage area in the  
basement for the courtroom. The court has received grant  
money from the Justice Court Assistance Program to help with  
this project. Discussion.

4. Kim updated the rest of the Board on the BV7 issue  
which has to do with the water levels of Lake Ontario. She  
will be going to webinars and such to keep up on this issue.

5. Kim told the Board she would not be around for the  
next scheduled board meeting on April 16th. It was  
determined to hold April's meeting on Monday, April 15th.  
The Town Clerk will advertise this change.

6. Kim revisited the issue of passing a moratorium on  
hydro-fracking. Discussion. The Board decided not to act  
on this at this time.

7. Kim commented on the topic of the Wayne County  
Nursing Home.

8. Councilman Felker updated the rest of the Board  
regarding the Cablevision meetings he's been attending.

EXECUTIVE SESSION -

A motion was made by Kim Park, seconded by Jeff Keller, to move into executive session at 6:50 PM to discuss Highway contract negotiations. VOTE - AYES 5 NAYS 0. Kim asked Scott to stay and everyone else left at this time.

CLOSE EXECUTIVE SESSION -

A motion was made by Kim Park, seconded by Dallas Youngman, to close executive session at 7:15 PM. VOTE - AYES 5 NAYS 0.

The next regular meeting of the Wolcott Town Board will be held Mon., Apr. 15, 2013, at 6:00 PM at the Town Hall.

A motion was made by Henry Felker, seconded by Kim Park, to adjourn the meeting at 7:16 PM.

submitted,

Respectfully

Dawn M. Krul,  
Town Clerk





