

REGULAR MEETING - WOLCOTT TOWN BOARD - MARCH 23,
2015

A regular meeting of the Wolcott Town Board was held Mon., Mar. 23, 2015, at 6:00 PM at the Wolcott Town Hall with the following people present:

PRESENT - Supervisor - Kim Park
Councilman - Adam Ellis, Jr.
Councilman - Henry Felker (ABSENT)
Councilman - Russell Freer, Jr.
Councilman - Christopher Loveless

OTHERS PRESENT - Dawn Krul, Town Clerk; Amber Roberts, Assessor/ Bookkeeper, Donald Camp, Code Enforcement Officer; Scott Maybe, Highway Supt.; Chris Bauer, Highway Dept.

Copies presented to the Town Board:

1. Minutes of February 17, 2015 (Regular Meeting)
2. Minutes of February 27, 2015 (Special Meeting)
3. General Fund Claims (Unaudited)
4. Highway Fund Claims (Unaudited)
5. Blind Sodus Bay Sewer District Claims (Unaudited)
6. Wadsworth Road Water District Claim (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.

Pledge of Allegiance -

GENERAL BUSINESS -

GENERAL CORRESPONDENCE -

1. Letter from John Becker, treasurer for the Fairmount Cemetery located in the Village of Red Creek, requesting financial help with the upkeep of the cemetery.

2. Informational packet from the NYS Public Service Commission with regard to making additional central office codes available in the 315 area code region.

A motion was made by Kim Park, seconded by Adam Ellis, to accept the minutes of February 17 and February 27, 2015, general correspondence and departmental reports. VOTE - AYES 4 NAYS 0.

GENERAL BUSINESS - (cont'd)

ABSTRACT OF CLAIMS -

GENERAL ACCOUNT - Claims #69 thru #113 - total - \$41,020.85

HIGHWAY ACCOUNT - DA Townwide - total - \$41,082.27

BLIND SODUS BAY SD - Claims #11 thru #16 - total - \$4,439.99

WADSWORTH ROAD WD - Claim #1 - total - \$37,860.64

A resolution was presented by Kim Park, moved by Russ Freer,

seconded by Chris Loveless "Be it RESOLVED to pay General, Highway, Blind Sodus Bay Sewer District and Wadsworth Road Water District claims as presented." VOTE - AYES 4 NAYS 0.

ASSESSOR/BOOKKEEPER - Amber Roberts

1. Amber reported that informal hearings for those wanting to discuss their assessment increase will begin tomorrow.

HIGHWAY - Scott Maybe

1. Scott brought in paperwork with the price on a new plow.

2. Scott is holding off on presenting paperwork from the insurance company as they called him and told him not to sign anything because the allotment may be changing. Discussion.

3. Scott asked if the Blind Sodus Bay Sewer District was going to break ground soon. He was informed as soon as the weather breaks.

CODE ENFORCEMENT OFFICER - Don Camp

1. Don stated he attended code school last week but found only the last class to be somewhat beneficial but he now has his 24 hours of training required for the year.

2. Don also informed the board of new or revised codes taking effect this year.

3. Don discussed the prevalence of meth labs in New York State and what, if anything, he would or could do if he were to discover one while on the job. At this time, New York does not have a method for cleaning up a house contaminated by a meth lab.

4. Don had an environmental form needing to be signed by the Supervisor.

CODE ENFORCEMENT - (cont'd)

RESOLUTION #23-15 AUTHORIZING THE SUPERVISOR TO SIGN NEGATIVE DECLARATION FOR A SHORT ENVIRONMENTAL QUALITY REVIEW (SEQR) FORM FOR RONALD VANSOOTER -

The following resolution was presented by Kim Park, moved by Adam Ellis, seconded by Russ Freer,

WHEREAS, Ronald VanScooter has requested to add a two-story deck on the west side of his home located at 7957 North Maple Road in the Town of Wolcott; and

WHEREAS, our Local Law #1-2000, Section 502-C, requires a special permit to expand pre-existing structures on less than one acre of land 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 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 .

TOWN CLERK - Dawn Krul

Nothing to report this month.

SUPERVISOR - Kim Park

1. Kim updated the board on the Blind Sodus Bay and Port Bay Sewer Projects. As soon as the weather breaks, Blind Sodus Bay will get underway and, hopefully, the Port Bay Project breaking ground by Spring 2016. Also, the town's sewer law is in the works with the details still being ironed out.

RESOLUTION #24-15 TOWN OF WOLCOTT PORT BAY
SEWER DISTRICT LATERAL RESTRICTIONS RESOLUTION -

The following resolution was presented by Kim Park, moved by Chris Loveless, seconded by Russ Freer,

WHEREAS, the Town of Wolcott and the Town of Huron are working in conjunction to plan and construct sanitary sewer improvements in an area surrounding Port Bay, referred to as the "Joint Port Bay Sanitary Sewer Project;"

SUPERVISOR - (cont'd)

RESOLUTION - (cont'd)

WHEREAS, with regard to the portion of the service area within the Town of Wolcott, the Town Board of the Town of Wolcott has created the Port Bay Sewer District pursuant to Town Law for the express purpose of extending sanitary sewer service to residents along portions of West Port Bay Road, East Port Bay Road, Tompkins Point Road, North Maple Street, Woodtract Road, Roney Road, Martin Road, Cardinal Road and Furnace Road, in addition to smaller private drives and easement areas near Port Bay; and

WHEREAS, part of the land area within the Port Bay Sewer District is also within Wayne County Agricultural District No. 1, specifically along portions of West Port Bay Road, East Port Bay Road, and North Maple Road; and

WHEREAS, the Town Board has filed a Notice of Intent to Undertake an Action Within an Agricultural District to evaluate the impact of providing sanitary sewer service within this area on lands within Agricultural District No. 1; and

WHEREAS, the New York State Department of Agriculture and Markets ("Department") has expressed concern about the potential adverse impact that said sanitary sewer service is likely to have on agriculture within the Agricultural District,

NOW THEREFORE BE IT RESOLVED, that the Town Board, in recognition of the concerns that have been raised, hereby resolves to adopt the "Lateral Restriction - Conditions on Future Service" specified by the New York State Department of Agriculture and Markets as follows:

Lateral Restriction - Conditions on Future Service

The Town of Wolcott imposes the following conditions, as warranted or recommended on the management of water/sewer lines located along the portions of West Port Bay Road, East Port Bay Road and North Maple Street included in the Port Bay Sewer District, within an agricultural district:

- (1) The only land and/or structures which will be allowed to connect to the proposed waterline or sewer within an agricultural district will be existing structures at the time of

construction, further agricultural structures, and land and structures that have already been approved for development by the local governing body prior to the filing of the Final Notice of Intent by the municipality.

SUPERVISOR - (cont'd)

RESOLUTION - (cont'd)

Land and structures that have been approved for development refer to those properties/structures that have been brought before a local governing body where approval (e.g., subdivision, site plan, and special permit) is needed to move forward with project plans and the governing body has approved the action. If no local approval is required for the subdivision of land and/or the construction of structures, the municipality accepts the limitation under Public Health Law §1115 that defines a "subdivision," in part, as "any tract of land which is divided into five or more parcels." Water and/or sewer service will not be extended to the fifth and subsequent parcels where no local approval is required and the land is located within a county adopted, State certified agricultural district.

- (2) If a significant hardship can be shown by an existing resident, the lateral restriction to the resident's property may be removed by the municipality upon approval by the Department. It is the responsibility of the resident landowner to demonstrate that a hardship exists relative to his or her existing water supply or septic system and clearly demonstrate the need for public water or sewer service. The

municipality shall develop a hardship application to be filed with the municipality, approved by the County Department of Health, and agreed to by the Department of Agriculture and Markets.

(3) If it can be demonstrated to the Department's satisfaction that the landowner requested the county to remove his or her land from an agricultural district at the time of district review and the county legislative body refused to do so, lateral restrictions may be removed by the municipality if the Department determines that the removal of the restriction for the subject parcel(s) would not have an unreasonably adverse effect on the agricultural district.

(4) If land is removed from a county adopted, State certified agricultural district and the district has been reviewed by the county legislative body and certified by the Commissioner for modification, lateral restrictions imposed by the municipality are no longer in effect for the parcels of land that have been removed from the agricultural district.

VOTE - AYES 4 NAYS 0.

SUPERVISOR - (cont'd)

RESOLUTION #25-15 AUTHORIZING THE SUPERVISOR TO
SIGN INITIAL
RURAL UTILITIES SERVICE FUNDING APPLICATION FOR THE
JOINT PORT BAY

SEWER DISTRICT -

The following resolution was presented by Kim Park, moved by Adam Ellis, seconded by Russ Freer,

WHEREAS, the Town is lead agency for the Joint Port Bay Sewer District with the Town of Huron; and
WHEREAS, the project needs to fill out paperwork for an Initial Rural Utilities Service Funding Application; and
WHEREAS, an application for federal assistance, an assurance form, a federal civil rights impact form, an ethnic information sheet for the Towns and a water and waste eligibility certification must be signed as part of the application;
NOW, THEREFORE, BE IT RESOLVED, the Supervisor is authorized to sign all forms associated with said application.

VOTE - AYES 4 NAYS 0.

2. Kim referred to the correspondence letter received from John Becker with regards to their need for financial help with the upkeep of the Fairmount Cemetery in Red Creek. Discussion. Kim will write back to Mr. Becker and tell him we will try and work with them to the best of our ability.

3. Amend February Highway Abstract -

RESOLUTION #26-15 AMENDING FEBRUARY 2015
HIGHWAY ABSTRACT -

The following resolution was presented by Kim Park, moved by Adam Ellis, seconded by Chris Loveless,

WHEREAS, the highway workers receive a \$100.00 stipend for boots once a year; and

WHEREAS, this stipend was issued in February to those who were eligible to receive it; and

WHEREAS, one of the workers was inadvertently left off of the February abstract; and

WHEREAS, this worker was paid his stipend in February and the abstract needs to reflect this additional amount;

NOW, THEREFORE, BE IT RESOLVED, to amend February's Highway Abstract by an additional \$100.00 for a total of \$23,758.39.

VOTE - AYES 4 NAYS 0.

SUPERVISOR - (cont'd)

4. Amend 2015 Budget -

RESOLUTION #27-15 AMMENDING 2015 BUDGET TO ADD LINE ITEMS AND TRANSFER FUNDS -

The following resolution was presented by Kim Park, moved by Chris Loveless, seconded by Adam Ellis,

WHEREAS, the Town has run into unexpected legal fees; and

WHEREAS, because these legal fees were unexpected they were not budgeted; and

WHEREAS, it is necessary to ammend the budget to be able to pay for said unexpected legal fees;

NOW, THEREFORE, BE IT RESOLVED, the clerk to the Supervisor is authorized to add line item DA1710.4 (Administration-contractual) and add line item DB1710.4 (Administration-

contractual) to the 2015 Budget and transfer \$16,250 from DA5142.1 and \$8,750 from DB5110.1 into respective added budget line items Administration contractual.

VOTE - AYES 4 NAYS 0.

5. Retaining legal counsel for Highway Union Negotiations -

RESOLUTION #28-15 AUTHORIZING THE SUPERVISOR TO SIGN RETAINMENT LETTER FOR BOND, SCHOENECK & KING -

The following resolution was presented by Kim Park, moved by Russ Freer, seconded by Adam Ellis,

WHEREAS, the Town has received notice from the Teamsters regarding the Highway workers desire to re-negotiate their union contract; and

WHEREAS, the Teamsters have already threatened an Improper Prac-tice charge; and

WHEREAS, with such hostile actions the Town must retain counsel to assist with contract and union relations to protect the Town;

NOW, THEREFORE, BE IT RESOLVED, the Supervisor is authorized to sign a retainment letter with Bond, Schoeneck & King at a cost not to exceed \$10,000.

VOTE - AYES 4 NAYS 0.

6. Kim explained the following resolution and asked if the board was interested in having the town participate and that she would be willing to be the contact person for this.

SUPERVISOR - (cont'd)

RESOLUTION #29-15 EXPRESSING INTENT FOR THE
TOWN OF WOLCOTT TO JOIN WITH WAYNE COUNTY IN
PREPARING AND SUBMITTING A GOVERNMENT EFFICIENCY
PLAN -

The following resolution was presented by Kim Park, moved by Adam Ellis, seconded by Chris Loveless,

WHEREAS, Governor Cuomo and the New York State Legislature have enacted a Property Tax Freeze as part of the 2015 Budget Process; and

WHEREAS, one provision of the Property Tax Freeze/Property Tax Credit program is for Local Governments to prepare and submit a Government Efficiency Plan by June 1, 2015; and

WHEREAS, Local Governments have the option of preparing their own plan, or preparing a plan with other local governments; and

WHEREAS, the Town of Wolcott has reviewed the Property Tax Freeze Credit Guidance Publication prepared by the New York State Department of Taxation and Finance; and

WHEREAS, after consideration the Wolcott Town Board has determined that it desires to work with Wayne County government and other local governments that also opt to work with Wayne County to prepare and submit a consolidated Government Efficiency Plan;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Wolcott has determined it will join Wayne County Government and other local governments that also opt to join Wayne County to prepare and submit a consolidated Government Efficiency Plan; and be it further

RESOLVED, that the Wolcott Town Board designates Supervisor Kim Park as a contact person and source of information for the County Administrator; and be it further

RESOLVED, that the Wolcott Town Clerk will transmit a certified copy of this Resolution to the Wayne County Clerk of the Board of Supervisors.

VOTE - AYES 4 NAYS 0.

7. Kim mentioned the upcoming Eades Road Bridge Project. Propo-sals were submitted and Kim and Scott, as well as the County Highway Department, have gone over them. Discussion. It was determined to have Kim contact Lu Engineers for this project.

SUPERVISOR - (cont'd)

8. Planning Board Re-appointment -

RESOLUTION #30-15 RE-APPOINTING ART BATZOLD TO THE PLANNING BOARD -

The following resolution was presented by Kim Park, moved by Adam Ellis, seconded by Russ Freer,

WHEREAS, the appointment of Art Batzold to the

Planning Board
has expired; and

WHEREAS, the Town needs to fill said position;
and

WHEREAS, the Town and Art Batzold have both
agreed to continue
said appointment;

NOW, THEREFORE, BE IT RESOLVED, Art Batzold is
re-appointed to the Planning Board for a 5-year
term beginning April 1, 2015, thru March 31, 2020.

ON ROLL CALL VOTE - Park "YES", Ellis "YES",
Felker "ABSENT",
Freer "YES", Loveless
"YES".

EXECUTIVE SESSION -

A motion was made by Kim Park, seconded by Adam
Ellis, to move
into executive session at 6:29 PM to discuss
Highway contract nego-tiations. VOTE - AYES 4
NAYS 0.

CLOSE EXECUTIVE SESSION -

A motion was made by Russ Freer, seconded by
Chris Loveless, to close executive session at 6:52
PM. VOTE - AYES 4 NAYS 0.

The next regular meeting of the Wolcott Town
Board will be held
Apr. 21, 2015, at 6:00 PM at the Town Hall.

A motion was made by Adam Ellis, seconded by
Russ Freer, to ad-journ the meeting at 6:53 PM.

Respectfully submitted,

Krul,
Clerk

Dawn M.
Town

