

REGULAR MEETING - WOLCOTT TOWN BOARD - MAY 15, 2012

A regular meeting of the Wolcott Town Board was held Tues., May 15, 2012, 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 En-forcement Officer; Scott Maybe, Highway Supt.; Donald Dates, Highway Dept.; Eileen Perkins, 6673 West Port Bay Rd., Wolcott; Charles and Ellen Gerberich, 9415 Ingersoll Dr., Sterling; Al and Sharon Ander-son, 9395 Ingersoll Dr., Sterling.

Copies presented to the Town Board:

1. Minutes of April 17, 2012 (Regular Meeting)
2. Minutes of May 1, 2012 (Special Meeting)
3. General Fund Claims (Unaudited)
4. Highway Fund Claims (Unaudited)

The Supervisor's, Town Clerk's, Justices, Code Enforcement Offi-cer'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 -

SPECIAL PERMIT REQUEST - Earth, Wind & Solar
2318 Markland Rd.
LaFayette, NY 13084
Property Location - John Breen
12631 Cemetery Rd.
Wolcott, NY 14590

Code Enforcement Officer, Don Camp, presented Special Permit Request #1-2012, which was brought before the Planning Board May 7, 2012. Request regarding Town of Wolcott Local Law #1-2000, Section 601-c-1, construct 140' tower with 10KW Bergey Wind Turbine in an agricultural district.

Don explained that after last month's meeting which generated a negative SEQR resolution from the Town Board, it went back to the County Planning Board on April 30, 2012. They approved it and then sent it back to our local Planning Board, with suggestions, and our Planning Board approved it. This is the last step as it is back before the Town Board for final approval. Discussion.

SPECIAL PERMIT REQUEST - (cont'd)

There being no objections, the following resolution was pre-sented by Kim Park, moved by Jeff Keller, seconded by Adam Ellis,

"Be it RESOLVED that the Wolcott Town Board approved the request of Earth Wind and Solar to construct a 140' wind tower on the property owned by John Breen and the recommendation of the Planning Board to the Town Board."

On Roll Call Vote - Park "YES", Youngman "ABSTAINED", (related)

Keller "YES", Ellis "YES", Felker "YES".

GENERAL BUSINESS -

GENERAL CORRESPONDENCE -

1. Letter and photos from Betty Hittle re adjacent property on Ford Road in a dilapidated condition and her request to have some-thing done about it.

2. Letter from Town Attorney, Art Williams, re Edward P. Dodge vs. Town of Wolcott along with 2 copies of the Respondent's brief he will be submitting to the Appellate Court with regard to said matter

3. Notice from Town of Sterling Town Board and Planning Board re public hearing to be held May 14, 2012, re application by Cypris Development for planned development district.

4. Email from Tom Agnello re above mentioned notice and the op-position of the residents of Ingersoll Drive to the proposed de-velopment of homes along Blind Sodus Bay which would require road extension of Ingersoll Drive into Cayuga County.

5. Letter to Supervisor Park from Senator Nozzolio re the IJC proposal for the BV7 plan.

A motion was made by Kim Park, seconded by Dallas Youngman, to accept the minutes of Apr. 17 & May 1, 2012, general correspondence and departmental reports. VOTE - AYES 5 NAYS 0.

ABSTRACT OF CLAIMS -

GENERAL ACCOUNT - Claims #172 thru #211 - total - \$16,025.26

HIGHWAY ACCOUNT - DA Townwide & DB Outside - total - \$8,058.13

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 due to sitting with tax roll)

1. Kim explained for Amber what the Board could do regarding an application for tax exemption of solar or wind energy systems.

The exemption is for 15 years and is equal to the amount of increase in assessment attributed to the solar or wind energy system. If this is acceptable to the Board, there is no action necessary. The Board unanimously agreed to accept this exemption.

2. Kim also brought the rest of the Board up to date on the amount of money it was costing the assessor's office due to court and/or attorney fees for Dodge vs. the Town of Wolcott.

HIGHWAY - Scott Maybe

1. Scott asked about the bid/s for the surplus truck. The Town Clerk stated she hadn't received any other bids than the one already submitted.

RESOLUTION #33-12 ACCEPTING BID FOR 1983 FORD 9000
VIN#DVA35608,
MILEAGE 168,949 -

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

WHEREAS, the Town Board and the Highway Superintendent have de-termined the above mentioned truck has no further use to the Town and wish to dispose of it; and

WHEREAS, the Town advertised for sealed bids for said truck; and

WHEREAS, only one sealed bid was received and was found accept-able;

NOW, THEREFORE, BE IT RESOLVED, the Town accepts sealed bid from Rick Warrick at a bid of \$4,000 and will turn over truck and title at time of payment.

VOTE - AYES 5 NAYS 0.

2. Scott reported they were having problems with all

of the radios in the highway trucks and they would need to replace them as they are no longer compatible with the county system. Discussion.

3. Scott had a quote on leasing a loader. He expects to receive at least one more quote. Discussion.

4. Scott and the highway crew have been doing prep work on the road they are resurfacing this year.

5. Kim mentioned that the town cleanup day would be this coming Saturday, May 19th, from 9 to 1.

CODE ENFORCEMENT OFFICER - Don Camp

1. Don had a call from the Rose Codes Officer, Henry Dunphy, regarding the deal he used to have with our former Codes Officer, Ken Burgess, to cover each other when they were sick, or away, etc.

Don would like to continue with this if the Board approves. Kim reminded everyone that the County enacted an intermunicipal agreement that covers such things as this so he was all set.

2. Don brought up the letter received from Betty Hittle re-garding property across from her in a dilapidated condition and her desire for the town to do something about it. Don sent a letter to the property owner concerning this problem. Discussion was had as possible solutions to this and similar problems.

TOWN CLERK - Dawn Krul

1. RESOLUTION #34-12 STANDARD WORK DAY AND REPORTING RESOLUTION

The following resolution was presented by Dawn Krul, moved by Kim Park, seconded by Dallas Youngman,

BE IT RESOLVED, that the Town of Wolcott hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body:

Elected Officials:

Title Record	Name	Standard Work Days/Month	Standard Work Day	Term Begins/Ends	Employer of Time
Supervisor 13	Kim Park	8		1/2012-12/2013	Y
Councilmen 1.5	Dallas Youngman, Chair	8		1/2010-12/2013	N
1	Jeffrey Keller	8		1/2010-12/2013	Y
1	Adam Ellis	8		1/2012-12/2015	Y
Town Clerk 19	Dawn Krul	8		1/2012-12-2013	Y
Highway Supt. 21	Scott Maybe	8		1/2012-12/2013	Y

Appointed Officials:

Sole Assessor 6	Amber Roberts	8		1/2012-09/2013	Y
Supr's Clerk 6.5	Amber Roberts	8		1/2012-12/2013	Y

On this 15th day of May, 2012

Enacted: _____
 (Signature of clerk)

Date

VOTE - AYES 5 NAYS 0.

SUPERVISOR - Kim Park

1. RESOLUTION #35-12 TOWN OF WOLCOTT OPPOSING THE INTERNATIONAL JOINT COMMISSION'S PROPOSAL OF PLAN BV7 AND THE RESULTING ECONOMIC HARDSHIP -

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

WHEREAS, the Town of Wolcott gains over 40% of its property tax revenue from waterfront parcels; and

WHEREAS, the Town depends on this income to run its budget and provide services to its residents; and

WHEREAS, the International Joint Commission's proposed Plan BV7 will cause flooding during high waters; and

WHEREAS, water above the current regulated level of 247.3 will cause damage to property, structures, businesses, breakwalls, docks, etc. and decrease property value; and

WHEREAS, a decrease in property value will lower the amount of tax dollars collected on these parcels and overall therefore result-ing in cuts to vital services provided by the Town; and

WHEREAS, this tax burden will then be pushed to other parcels increasing the tax burden for all residents to a level that can't be afforded by a Town that is at the poverty level currently; and

WHEREAS, this will result in more foreclosures throughout the Town and more property decreasing in value; and

WHEREAS, all businesses in the area will suffer due to loss of tourism, waterfront related activities and increased tax burden re-sulting in businesses and job losses; and

WHEREAS, the Town and its residents will have no way to recover from such a negative economic impact or survive;

NOW, THEREFORE, BE IT RESOLVED, the Town of Wolcott

opposes the implementation of Plan BV7 and urges the IJC to remain with the current regulatory Plan 1958DD; and be it

FURTHER RESOLVED, that the Clerk of the Town of Wolcott certify and communicate this resolution to US Congresswoman Ann Marie Buerkle, 25th Congressional District; NYS Senator Michael F. Nozzolio, 54th State Senate District; NYS Assemblyman Robert C. Oaks, 128th State Assembly District and James D. Hoffman, Chairman Wayne County Legislative Board.

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

Ellis "YES", Felker "YES".

SUPERVISOR - (cont'd)

2. RESOLUTION #36-12 TOWN OF WOLCOTT OPPOSING THE INTERNATIONAL JOINT COMMISSION'S PROPOSAL OF PLAN BV7 AND RESPECTIVE WATER CONTAMINATION AND HEALTH HAZARDS CAUSED BY SAID PLAN BV7 -

The following resolution was presented by Kim Park, moved by Adam Ellis, seconded by Jeff Keller,

WHEREAS, the Town of Wolcott has two embayments, Port Bay and Blind Sodus Bay; and

WHEREAS, both of these bays depend on septic systems as they do not have public sewers; and

WHEREAS, the proposed highs under Plan BV7 will result in flooding causing these systems to not work resulting in raw sewage being discharged into the bays; and

WHEREAS, residents around the bays depend on this water for household use and will result in contaminating their water supply making their homes and businesses unusable; and

WHEREAS, this has a direct impact on the health of citizens, wildlife and the ecosystem;

NOW, THEREFORE, BE IT RESOLVED the Town of Wolcott opposes the implementation of Plan BV7 and urges the IJC to remain with the current regulatory Plan 1958DD; and be it

FURTHER RESOLVED, that the Clerk of the Town of Wolcott certify and communicate this resolution to US Congresswoman Ann Marie Buerkle, 25th Congressional District; NYS Senator Michael F. Nozzolio, 54th State Senate District; NYS Assemblyman Robert C. Oaks, 128th State Assembly District and James D. Hoffman, Chairman Wayne County Legislative Board.

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

Ellis "YES", Felker "YES".

3. RESOLUTION #37-12 AUTHORIZING TRANSFER OF \$128,197.50 FROM SMALL CITIES BUILDING FUND TO GENERAL CHECKING -

The following resolution was presented by Kim Park, moved by Jeff Keller, seconded by Adam Ellis,

WHEREAS, the Town received a grant from Governor's Office of Small Cities for handicapped accessibility upgrades for the Wolcott Town Hall; and

WHEREAS, these funds are received in a separate designated account for said funds; and

WHEREAS, it is necessary to transfer these funds to general checking for reimbursement of expenses;

NOW, THEREFORE, BE IT RESOLVED, to transfer \$128,197.50 of Small Cities Funding from Small Cities Building Account to General Check-ing.

VOTE - AYES 5 NAYS 0 .

SUPERVISOR - (cont'd)

4. RESOLUTION #38-12 TOWN OF WOLCOTT PORT BAY WATER DISTRICT BUDGET MODIFICATION -

The following resolution was presented by Kim Park, moved by Adam Ellis, seconded by Jeff Keller,

WHEREAS, the Town of Wolcott developed the budget for Port Bay Water District project based on estimates for the costs for ease-ments; and

WHEREAS, the actual costs for recording fees and other costs for the easements will be more than the budgeted amount;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby au-thorizes an increase in the budget for Land ROW in the amount of \$2,000, from \$5,000 to \$7,000; and be it

FURTHER RESOLVED, that the Town Board hereby authorizes a cor-responding decrease in the Contingency.

VOTE - AYES 5 NAYS 0 .

5. Kim updated the rest of the Board regarding funding for the Port Bay and Blind Sodus Bay Sewer Projects.

6. Kim highlighted the latest in the Town Hall Building Project renovations. She will keep them posted as things progress.

7. Kim mentioned the shredding day to be held in the Huron Town Hall parking lot on June 2nd from 10AM to 2PM.

8. Kim stated the need to change the June board meeting date as she has a night meeting at the County. It was determined to have the meeting on Monday, June 18th, at 6:00PM. The Town Clerk will ad-vertise the change.

PROPOSED DEVELOPMENT ON BLIND SODUS BAY -

At this point, Supervisor Park offered privilege of the floor to those in attendance who wanted to speak to their concerns regarding the proposed development on Blind Sodus Bay that initially had in-volved using Ingersoll Drive as an extension into this development. Much discussion.

WADSWORTH/BOVEE ROAD WATER DISTRICT -

Councilman Felker stated he had had some neighbors call and ask where we were at regarding the Wadsworth/Bovee Road Water District. Supervisor Park responded she felt they were going to have to meet on it again and discuss the numbers and see if we have enough people interested to move forward with it again.

EXECUTIVE SESSION -

A motion was made by Kim Park, seconded by Adam Ellis to move into executive session at to discuss a particular personnel issue at 6:50 PM. VOTE - AYES 5 NAYS 0. (At this time, all in atten-dance left except for the Town Board and Donald Camp.)

CLOSE EXECUTIVE SESSION -

A motion was made by Dallas Youngman, seconded by Kim Park to close the executive session at 6:55 PM. VOTE - AYES 5 NAYS 0.

The next regular meeting of the Wolcott Town Board will be held June 18, 2012, at 6:00 PM at the Town Hall.

A motion was made by Jeff Keller, seconded by Dallas Youngman, to adjourn the meeting at 6:56 PM.

submitted,

Respectfully

Dawn M. Krul,

Town Clerk

