

REGULAR MEETING - WOLCOTT TOWN BOARD - JULY 18, 2013

A regular meeting of the Wolcott Town Board was held Thurs., July 18, 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; Amber Roberts, Assessor/ Bookkeeper; Donald Camp, Code Enforcement Officer; Scott Maybe, Highway Supt.; Donald Dates, Highway Dept.; Russell Freer, 7624 Wall St. Rd., Wolcott; Ronald VanScooter, 7957 North Maple St., Wolcott; Chris Loveless, 11700 Tompkins Pt. Rd., Wolcott.

Copies presented to the Town Board:

1. Minutes of June 17, 2013 (Regular Meeting)
2. General Fund Claims (Unaudited)
3. Highway Fund Claims (Unaudited)

The Supervisor's, Town Clerk's, Justices, Code Enforcement Officer's, Animal Control 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 - Ronald VanScooter
7957 North Maple St.
Wolcott, NY 14590
Tax Map #75119-00-482740

Code Enforcement Officer, Don Camp, presented Special Permit Request #6-2013, which was brought before the Town Board on June 17, 2013, at which time a negative impact was

declared on the environ-ment and signed by the Supervisor. It was then taken to the County Planning Board for review and brought back to our Planning Board on July 1, 2013. Request regarding Town of Wolcott Local Law #1-2000 Section 502-C, to add a dormer to the rear roof and a deck on the front of his cottage in a waterfront area.

Don reported that the County approved it with the following con-ditions: proposed changes should be sighted so as not to interfere with adjacent property owners, septic system needs to meet state health regulations as well as fire prevention building codes.

SPECIAL PERMIT REQUEST - (cont'd)

Don stated that the local Planning Board would not approve the application until a proper septic system is installed, inspected and approved by him. Mr. VanScooter would like to install a holding tank until such time as public sewer becomes available. Discussion.

After said discussion, the following resolution was presented by Kim Park, moved by Dallas Youngman, seconded by Adam Ellis, "Be it RESOLVED that the Wolcott Town Board approves the request of Ronald VanScooter with the following conditions: the request is taken back to the local Planning Board for discussion regarding the installa-tion of a proper holding tank and then approved by them as well."

VOTE - AYES 5 NAYS 0 .

SPECIAL PERMIT REQUEST - Geith/Armacost Residence
8151 Robin Rd.
Wolcott, NY 14590
Tax Map #75120-19-602002

Code Enforcement Officer, Don Camp, presented Special Permit Request #7-2013, which was brought before the Town Board on June 17, 2013, at which time a negative impact was declared on the environ-ment and signed by the Supervisor.

It was then taken to the County Planning Board for review and brought back to our Planning Board on July 1, 2013. Request regarding Town of Wolcott Local Law #1-2000 Section 502-C, to remove a deck and construct several additions to the residence in a waterfront area.

Don stated the Planning Boards at the County and locally ap-proved the request with the normal requested conditions.

There being no objections from the Town Board, the following resolution was presented by Kim Park, moved by Jeff Keller, seconded by Henry Felker, "Be it RESOLVED that the Wolcott Town Board approve the request of the Geith/Armacost Residence, with the specified con-ditions, and the recommendation of the Planning Board to the Town Board."

VOTE - AYES 5 NAYS 0 .

GENERAL BUSINESS -

GENERAL CORRESPONDENCE -

1. Letter from Time Warner Cable regarding potential additions or deletions of channels and/or programming services.

2. Notice from the NYS Public Service Commission regarding up-coming public statement hearings on options for making additional central office codes available in the 315 area code regions.

A motion was made by Kim Park, seconded by Dallas Youngman, to accept the minutes of June 17, 2013, general correspondence and de-partmental reports. VOTE - AYES 5 NAYS 0 .

GENERAL BUSINESS - (cont'd)

ABSTRACT OF CLAIMS -

GENERAL ACCOUNT - Claims #243 thru #276 - total - \$6,321.88

HIGHWAY ACCOUNT - DA Townwide & DB Outside - total - \$82,521.34

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

ASSESSOR/BOOKKEEPER - Amber Roberts

Assessor -

1. Amber has been out doing roadwork in the village of Wolcott. She would like to get the village of Red Creek done, too, before the next update, but not sure there will be enough time for that.

Bookkeeper -

1. Amber mentioned she received a letter from Excellus regard-ing insurance premiums, etc. More information to follow on this.

HIGHWAY - Scott Maybe

1. Scott stated a representative from RG&E had been to the highway garage to discuss some changes that could be made to save money.

A proposal was put together which was presented to the board. The board would like the representative to possibly come to the next meeting to further explain their offer. Scott will contact them and ask them to send someone in August.

2. The highway crew has been working on Murray Road for the past two weeks.

CODE ENFORCEMENT OFFICER - Don Camp

1. Don had an environmental form for the Supervisor

to sign.

RESOLUTION #49-13 AUTHORIZING THE SUPERVISOR TO SIGN
NEGATIVE DECLARATION FOR A SHORT ENVIRONMENTAL QUALITY
REVIEW (SEQR) FORM FOR GREGG WEEKS -

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

WHEREAS, Gregg Weeks has requested to construct a 40'
x 48' vehicle repair garage on his property located at 13542
Jenkins Road in an agricultural district; and

WHEREAS, our Local Law #1-2000 requires a special
permit to construct a commercial business in an
agricultural district; 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's determination;

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

VOTE - AYES 5 NAYS 0 .

TOWN CLERK - Dawn Krul

Nothing to report this month.

SUPERVISOR - Kim Park

1. Kim updated the Board on the Blind Sodus Bay Sewer
District and discussed the following resolutions.

RESOLUTION #50-13 AUTHORIZING THE SUPERVISOR TO SIGN

AGREEMENT WITH MRB GROUP FOR VARIOUS ENGINEERING AND
PROJECT ADMINISTRATION SERVICES FOR BLIND SODUS BAY SEWER
DISTRICT -

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

WHEREAS, the Town Board established the Blind Sodus Bay
Sewer District; and

WHEREAS, the Town has done preliminary engineering for
said pro-ject and district creation since January 2010; and

WHEREAS, survey and mapping, environmental
clearances, permits, design plans and specifications,
project bidding, construction ser-vices and
administration, construction observation for said project
are estimated at \$296,500, including preliminary work
already com-pleted; and

WHEREAS, there will be potential work required such as
easement maps, additional testing, permitting, site
visits, etc; and

WHEREAS, Rural Development requests an estimate of
said services but services will be billed on an hourly basis
per the contract and additional services will only be used
if necessary;

NOW, THEREFORE, BE IT RESOLVED, the Supervisor is
authorized to sign agreement Form EJCDC E-500 for Rural
Development with MRB Group for said services and additional
services if needed for total de-sign, bidding not to exceed
\$158,900 and construction not to exceed
\$137,600 and additional services if necessary not to exceed
\$50,000.

VOTE - AYES 5 NAYS 0 .

SUPERVISOR - (cont'd)

RESOLUTION #51-13 AUTHORIZING THE SUPERVISOR TO SIGN
AGREEMENT FOR FINANCIAL SERVICES WITH BERNARD P. DONEGAN
FOR BLIND SODUS BAY SEWER DISTRICT -

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

WHEREAS, the Town Board established the Blind Sodus Bay Sewer District; and

WHEREAS, the project and Town will require financial services for said project; and

WHEREAS, the funding agency of USDA Rural Development requires an agreement to be signed by the Town for a definite estimate of cost of services; and

WHEREAS, the Supervisor requested a breakdown of said charges including note issues and bond issues;

NOW, THEREFORE, BE IT RESOLVED, the Supervisor is authorized to sign agreement with Bernard P. Donegan for said services and sign supplemental agreement with breakdown of costs for issue of notes and bonds.

VOTE - AYES 5 NAYS 0 .

2. Kim went over the latest with the Port Bay Sewer Project and referred to the informational meeting held on June 29th.

RESOLUTION #52-13 AUTHORIZING THE SUPERVISOR TO SIGN A PROPOSAL WITH MRB GROUP FOR PREPARATION OF MAP, PLAN AND REPORT FOR CREATION OF PORT BAY SEWER DISTRICT AND SIGN MEMORANDUM OF UNDERSTANDING WITH THE TOWN OF HURON -

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

WHEREAS, the Town of Wolcott and the Town of Huron have been put on notice by DEC/EPA of the problem with phosphorus loading in Port Bay and Port Bay has been on a 303D distressed water body list; and

WHEREAS, the Towns have worked on the potential of a

sewer dis-tract to meet DEC's requirement of ??? loading from septic; and

WHEREAS, the Towns have obtained a ??? loan and sent out sur-veys to measure the receptiveness of said project to those in the potential district; and

WHEREAS, the Town of Huron would like to create the district via the petition process and a map, plan and report are necessary for this; and

WHEREAS, said report must be in place for district creation by either town; and

WHEREAS, the Town of Wolcott is lead agency;

SUPERVISOR - (cont'd)

RESOLUTION - (cont'd)

NOW, THEREFORE, BE IT RESOLVED, the Supervisor is authorized to sign a proposal for map, plan and report for said district at a cost not to exceed \$14,000 and a preliminary memorandum of understanding is to be signed by both towns stating each town's financial respon-sibility in the total if the district is not formed.

VOTE - AYES 5 NAYS 0 .

3. Kim told the Board the International Joint Commission BV7 Plan is now called Plan 2014 and discussed the recent meetings she attended concerning this plan.

RESOLUTION #53-13 OPPOSING PROPOSED PLAN 2014 AND REQUESTING THE INTERNATIONAL JOINT COMMISSION TO REJECT THE PROPOSED PLAN 2014 IN ITS ENTIRETY -

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

WHEREAS, the International Joint Commission (IJC) has announced consideration of Plan 2014 which could replace the current regula-tion Plan 58DD that controls the water level on Lake Ontario; and

WHEREAS, Plan 2014 will result in an increased duration of high and low water, significantly increasing the risk of potential damage to waterfront property owners and business owners as well as negatively impacting sport fishing and recreational boating; and

WHEREAS, this plan would negatively impact the assessed value of waterfront property the town depends on as well as revenue from sales tax from businesses related to the waterfront; and

WHEREAS, the plan has no mitigation for property owners on our embayments for loss of property or income; and

WHEREAS, once this assessed value is diminished and revenue is lost from said property and sales tax revenue is lost from said business it will be impossible to recover economically;

NOW, THEREFORE, BE IT RESOLVED, the Town of Wolcott respectfully requests that the IJC reject any current or future plan of implementing Plan 2014.

VOTE - AYES 5 NAYS 0 .

4. Kim stated the County is considering applying for a federal grant that would provide funding to income-eligible families to hookup to water and/or sewer. This would be a very good thing.

5. Kim informed the rest of the Board that the 2013 Budget needs amending due to extra CHIPS money.

SUPERVISOR - (cont'd)

RESOLUTION #54-13 CHANGING 2013 BUDGET AMOUNTS TO SHOW INCREASED CHIPS FUNDING -

The following resolution was presented by Kim Park,

moved by Dallas Youngman, seconded by Jeff Keller,

WHEREAS, the Town of Wolcott received additional CHIPS funding; and

WHEREAS, this increase needs to be reflected in the 2013 Budget;

NOW, THEREFORE, BE IT RESOLVED, to change line item DB3501 to \$116,539.26 and change expense line item DB5112.4 to \$103,170.26.

VOTE - AYES 5 NAYS 0 .

6. Kim said an agreement was finally reached regarding the union contract with the highway department.

RESOLUTION #55-13 AUTHORIZING THE SUPERVISOR TO SIGN 2013-2014 TEAMSTERS UNION CONTRACT FOR HIGHWAY WORKERS -

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

WHEREAS, the four (4) Town of Wolcott Highway workers are repre-sented by the Teamsters; and

WHEREAS, the Town and Union have been in negotiations for ap-proximately the past six (6) months; and

WHEREAS, an agreement has been reached by the Town and Union;

NOW, THEREFORE, BE IT RESOLVED, the Supervisor is authorized to sign January 1, 2013 thru December 31, 2014, Teamsters Union Con-tract and issue respective retro pay increases upon signing by both parties.

VOTE - AYES 5 NAYS 0 .

7. Kim and the rest of the Board discussed in depth how to best deal with the docks and mooring issue.

EXECUTIVE SESSION -

A motion was made by Kim Park, seconded by Adam Ellis,

to move into executive session at 7:10 PM to discuss a potential litigation.

VOTE - AYES 5 NAYS 0. (At this time the Board moved to a different location as the meeting was being held in the Town Clerk's Office.)

CLOSE EXECUTIVE SESSION -

A motion was made by Dallas Youngman, seconded by Kim Park to close executive session at 7:30 PM. VOTE - AYES 5 NAYS 0.

The next regular meeting of the Wolcott Town Board will be held Tues., Aug. 20, 2013, at 6:00 PM at the Town Hall.

A motion was made by Adam Ellis, seconded by Henry Felker, to adjourn the meeting at 7:31 PM.

submitted,

Respectfully

Dawn M. Krul,
Town Clerk

