

REGULAR & SPECIAL MEETING (PUBLIC HEARING)  
WOLCOTT TOWN BOARD - JULY 15, 2014

A regular and special meeting (Public Hearing) of the Wolcott Town Board was held Tues., July 15, 2014, at 6:00 PM at the Wolcott Town Hall with the following people present:

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

OTHERS PRESENT - Dawn Krul, Town Clerk; Donald Camp, Code En-forcement Officer; Scott Maybe, Highway Supt.; Donald Dates, Highway Dept.; Leslie Addy, 12423 Ridge Rd., Wolcott; Joan Teeter, 7035 Wadsworth Rd., Wolcott; Edward Bundy, 7327 East Port Bay Rd., Wolcott; Todd Rath, 8379 East Port Bay Rd., Wolcott; John Gingerich, Wayne County Eggs, 6864 Wadsworth Rd., Wolcott; Kevin Tomko, Wayne County Eggs, 6864 Wadsworth Rd., Wolcott.

Copies presented to the Town Board:

1. Minutes of June 23, 2014 (Regular Meeting)
2. General Fund Claims (Unaudited)
3. Highway Fund Claims (Unaudited)
4. Blind Sodus Bay Sewer District Claims (Unaudited)

The Supervisor's, Town Clerk's, Justices, Code Enforcement Officer's, Animal Control Officer's and Highway Supt's reports were pre-sented to the Town Board.

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

Pledge of Allegiance -

OPEN PUBLIC HEARING - Wadsworth Road Water District

Supervisor, Kim Park, asked the Town Clerk to read the notice of Public Hearing and to show proof of publication.

Supervisor Park declared the Public Hearing open at 6:04 PM and asked for any questions or comments from the floor regarding the Wadsworth Road Water District and asked them to state their name and address for the record.

CLOSE PUBLIC HEARING -

There being no questions or comments from the floor, a motion was made by Kim Park, seconded by Adam Ellis, to close the Public Hearing at 6:05 PM. VOTE - AYES 4 NAYS 0.

RESOLUTION #34-14 DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE ON TOWN OF WOLCOTT WADSWORTH ROAD WATERMAIN EXTENSION & DISTRICT FORMATION PROJECT -

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

**WHEREAS**, the Town of Wolcott Town Board (hereinafter referred to as Town Board) has reviewed the State Environmental Quality Review (SEQR) Short Environmental Assessment Form Part 1, Part 2 & Part 3 on the above referenced Wadsworth Road Watermain Extension and District Formation Project (hereinafter referred to as Action); and

**WHEREAS**, the Town Board determines the Action is classified as an Unlisted Action under the SEQR

Regulations; and

**WHEREAS**, the Town Board has determined that the Action is sub-ject to a single agency review pursuant to Part 617.6(b) (4) of the SEQR Regulations; and

**WHEREAS**, the Town Board determines that it is the most appro-priate agency for making the determination of significance thereon under the SEQR Regulations; and

**WHEREAS**, the Town Board does hereby designate itself as lead agency for the proposed development above herein; and

**WHEREAS**, 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 the Short En-vironmental Assessment Form Part 1; and

**WHEREAS**, the Town Board has completed Part 2 and Part 3 of the Short Environmental Assessment Form;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board has reason-ably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 (c):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic, noise levels; a substantial increase in solid waste produc-tion; a substantial increase in potential for erosion, flood-ing leaching or drainage problems;

RESOLUTION - (cont'd)

- (ii) there will not be large quantities of vegetation or fauna re-moved from the site or destroyed as the result of the proposed Action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed Action; there will not be a significant impact upon habitat areas on the site; there are no known threatened or endangered species of animal or plant, or the habitat of such species; nor, are there any other significant adverse impacts to natural resources on the site;
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action;
- (iv) the overall density of the site is consistent with the Town's Comprehensive Plan land use recommendations;
- (v) the site is not within an identified archaeological sensitive area;
- (vi) there will not be an increase in the use of either the quantity or type of energy resulting from the proposed Action;
- (vii) there will not be any hazard created to human health;
- (viii) there will not be a change in the use of active agricultural lands that receive an agricultural use tax exemption or that will ultimately result in the loss of ten acres

of such pro-ductive farmland;

- (ix) there will not be a larger number of persons attracted to the site for more than a few days when compared to the number of persons who would come to the site absent the Action;
- (x) there will not be created a material demand for other Actions that would result in one of the above consequences;
- (xi) there will not be changes in two or more of the elements of the environment that when considered together result in a sub-stantial adverse impact; and
- (xii) there are not two or more related Actions which would have a significant impact on the environment.

**BE IT FURTHER RESOLVED**, based upon the information and analysis above and the supporting documentation referenced above, the pro-posed Action **WILL NOT** result in any significant adverse environmen-tal impacts.

RESOLUTION - (cont'd)

**BE IT FINALLY RESOLVED**, that the Town Board does hereby make a Determination of Non-Significance on the Action, and the Town Supervisor is hereby directed to sign the Short Environmental Assessment Form Part 3 and issue the Negative Declaration as evidence of the Town Board determination.

On Roll Call Vote - Park "YES", Ellis "YES", Freer "YES",

Loveless "YES".

Dated: July 15, 2014

The above Resolution was duly adopted on July 15, 2014 by the Town of Wolcott Town Board.

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Kim Park, Supervisor  
Town of Wolcott

RESOLUTION #35-14  
ESTABLISHING THE WADSWORTH ROAD WATER DISTRICT  
PURSUANT TO ARTICLE 12-A OF THE TOWN LAW  
SUBJECT TO PERMISSIVE REFERENDUM

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

STATE OF NEW YORK  
COUNTY OF WAYNE  
TOWN OF WOLCOTT

In the Matter of the Establishment of  
The Wadsworth Road Water District  
pursuant to Article 12-A of the Town Law  
of the State of New York

**WHEREAS**, the Town Board of the Town of Wolcott did cause to be prepared and duly and timely filed in the office of the Town Clerk of the Town of Wolcott and available for public inspection, a map, plan and report prepared by the Town Engineer providing for the establishment of the Wadsworth Road Water District, consisting of water system improvements in, and to service, in general, properties along Wadsworth Road and Wheeler Road in the Town of Wolcott, together with valves, hydrants, and other apparatus and

appurtenances;  
and

RESOLUTION - (cont'd)

**WHEREAS**, the Town Board of the Town of Wolcott duly adopted on June 23, 2014, an order reciting a description of the boundaries of the proposed district, the improvements proposed, the maximum amount proposed to be expended for the improvements, the estimated cost of hook-up fees to and the cost of the district to the typical property the proposed method of financing to be employed, the fact that a map plan and report describing the same were on file in the Town Clerk's office for public inspection, and specifying that the Town Board of the Town of Wolcott would meet and convene a public hearing on July 15, 2014, at 6:00 PM at the Wolcott Town Hall located at No. 6070 Lake Avenue, Wolcott, New York, for the purpose of establishing the described water district and to hear all persons interested in the subject thereof concerning same; and

**WHEREAS**, prior to the publication of such order, the Town Board caused to be prepared and filed for public inspection with the Town Clerk, an explanation of how the estimated cost of hook-up fees and district costs to the typical property was computed; and

**WHEREAS**, at the time and place duly noticed, such public hearing was held and all those desiring to be heard were heard, and the Town of Wolcott having issued a negative declaration under the State En-vironmental Quality Review Act on July 15, 2014; and

**WHEREAS**, the evidence offered at such time and place requires that the Town Board make the determinations hereinafter made.

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Board of the Town of Wolcott, in the County of Wayne, that it be, and hereby is, determined as follows:

1. That the notice of public hearing was published and posted  
as required by law and is otherwise sufficient.

2. That all of the property and property owners within the  
proposed water district are benefitted thereby.

3. That all of the property and property owners benefitted are  
included within the proposed water district.

4. That it is in the public interest to establish the proposed  
water district; and be it

**FURTHER RESOLVED**, that the Town Board does hereby approve the establishment of the Wadsworth Road Water District described on Schedule A attached hereto and made a part hereof.

**HEREBY INTENDING TO DESCRIBE IN ITS ENTIRETY**, those parcels of land set forth on Schedule A attached hereto, situate in the Town of Wolcott, Wayne County, New York, to be collectively known and identified as the Wadsworth Road Water District.

**FURTHER RESOLVED**, that the maximum amount to be expended for the water system improvements is two hundred ten thousand (\$210,000.00) dollars; and be it

RESOLUTION - (cont'd)

**FURTHER RESOLVED**, that the method of financing shall be through serial bonds issued by the Lyons National Bank for an amount not to exceed \$70,000.00 financed over 25 years at an annual interest rate of approximately 3.45 percent along with a capital contribution from the Wayne County Industrial Development Agency in the amount of \$70,000.00 and a capital contribution from Kreher's Farms in the amount of \$70,000.00; and be it

**FURTHER RESOLVED**, that the method of payment and manner of ap-portionment of cost, for said financing the serial bonds in the amount of seventy thousand (\$70,000.00) dollars from the Lyons National Bank shall be by annual installments raised from a levy upon the several lots in the Wadsworth Road Water District, and assessed on a benefit basis upon all of the improved real property situate within said proposed water district. There is presently counted approximately thirteen (13) benefit units within proposed project. The estimated hook-up fees are a one-time charge of between one thousand three hundred (\$1,300.00) dollars and one thousand five hundred (\$1,500.00) dollars based upon the current amount charged by the Wayne County Water and Sewer Authority, the public authority to operate, maintain and service proposed water improvements. In addition, the cost of the proposed district to the owner of a typical property being a commercial unit or a one family home is estimated to be six hundred eleven (\$611.00) dollars for the first year following district formation, including debt service and operation and maintenance, based upon the present number of units, consisting of approximately two hundred eighty six (\$286.00) dollars in user charges and approximately three hundred twenty five (\$325.00) dollars in annual principal and interest on the indebtedness is

satisfied; and be it

**FURTHER RESOLVED**, that the resolution is subject to permissive referendum in the manner provided in Article 7 of the Town Law and Section 209-e of the Town Law; and be it

**FURTHER RESOLVED**, that the Town Clerk be and she is, authorized and directed to file a certified copy of this resolution, in duplicate, in the office of the State Department of Audit and Control, at Albany, New York, together with an application in duplicate, for permission to create said Water District in the manner and form pre-scribed in Section 209-f of the Town Law and rules and regulations promulgated by the State Comptroller, within the time prescribed therefore.

On Roll Call Vote - Park "YES", Ellis "YES", Freer "YES",

Loveless "YES".

CODE ENFORCEMENT OFFICER - Don Camp

1. Don had an environmental form needing to be signed by the Supervisor and two Special Permit Requests.

RESOLUTION #36-14 AUTHORIZING THE SUPERVISOR TO SIGN NEGATIVE DECLARATION FOR A SHORT ENVIRONMENTAL QUALITY REVIEW (SEQR) FORM FOR DALE OLTZ -

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

WHEREAS, Dale Oltz has requested to install manufactured storage units (4 units 20' x 120' and 1 unit 30' x 120') in stages as needed, for a total of 5 units on his property located at 13628 Route 370 in the Town of Wolcott; and

WHEREAS, our Local Law #1-2000, Section 501-C, requires a special permit to install structures for commercial purposes 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 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.

SPECIAL PERMIT REQUEST - Todd Rath  
30 Milford Crossing  
Penfield, NY 14526

Property Location - 8379 East Port Bay  
Road  
Tax Map #75120-14-  
452276

Code Enforcement Officer, Don Camp, presented Special Permit Request #2-2014, which was brought before the Town Board May 20, 2014, at which time a negative impact was declared on the environment and signed by the Supervisor. It went before the local Planning Board on July 7, 2014. Request regarding Town of Wolcott Local Law #1-2000 Section 502-C, requiring a special permit to expand pre-existing structures on less than one acre of land in a waterfront area.

Don stated the local Planning Board approved the request and no one has responded to the letter sent out to the neighbors.

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

VOTE - AYES   4   NAYS   0  .

SPECIAL PERMIT REQUEST - Leslie Addy  
12423 Ridge Rd.  
Wolcott, NY 14590  
Tax Map #76117-00-

307479

Code Enforcement Officer, Don Camp, presented Special Permit Re-quest #3-2014, which was previously brought before the Town Board at their regular meeting on June 23, 2014. Request regarding Town of Wolcott Local Law #1-2000 Section 601-C(1), any mobile home, new or replacement, installed or relocated within the Town of Wolcott shall be less than 10 years old. Ms. Addy wanted to move a 1988 mobile home onto property located at 12423 Ridge Road. At that meeting, the Town Board asked Don to re-approach the Planning Board, which had unanimously denied the initial request, with new stipulations that Ms. Addy said she would comply with, for reconsideration. Don reported that the Planning Board had again unanimously denied the request. As the Town Board has the authority to make the final de-termination, Don was bringing this back before them to make their decision. Discussion.

There being no further discussion, the

following resolution was presented by Kim Park, moved by Chris Loveless, seconded by Adam Ellis, "Be it RESOLVED that the Wolcott Town Board denies the re-quest of Leslie Addy and concurs with the recommendation of the Planning Board to the Town Board."

On Roll Call Vote - Park "YES", Ellis "YES", Freer "NO",

Loveless "YES".

2. Don reported he had retained some information on dye testing which will come in handy with the upcoming sewer projects.

3. Don attended a meeting where the new state representative for code enforcement discussed the potential changes in codes for later this year.

4. Don mentioned the international code book being used now is from 2010. The state will be utilizing the 2015 version within a year or so.

5. Supervisor Park touched on the septic system law needing to be developed and discussed with Don but wanted Amber and Councilman Felker to be present when they begin to put this together. The Coun-cilmen have been given copies of Huron's septic law to peruse.

Don left the meeting at 6:20 to attend another committment.

#### GENERAL BUSINESS -

#### GENERAL CORRESPONDENCE -

1. Letter copied to Supervisor Park from Fran and Leslie Macka-ravitz to Daniel Conners, Wayne County Attorney, regarding their property located at 8247 East Port Bay Road.

GENERAL BUSINESS - (cont'd)

A motion was made by Kim Park, seconded by Chris Loveless, to accept the minutes of June 23, 2014, general correspondence and de-partmental reports. VOTE - AYES 4 NAYS 0.

ABSTRACT OF CLAIMS -

GENERAL ACCOUNT - Claims #215 thru #238 - total - \$11,417.50

HIGHWAY ACCOUNT - DA Townwide & DB Outside - total - \$75,137.53

BLIND SODUS BAY SD - Claims #8 thru #12 - total - \$11,895.67

A resolution was presented by Kim Park, moved by Adam Ellis, seconded by Chris Loveless "Be it RESOLVED to pay General, Highway and Blind Sodus Bay SD claims as presented." VOTE - AYES 4 NAYS 0.

ASSESSOR/BOOKKEEPER - Amber Roberts

Amber was absent from tonight's meeting.

HIGHWAY - Scott Maybe

1. Scott reported the highway department has begun working on Jenkins Road.

2. Supervisor Park briefly touched on the county's All Hazard-Mitigation Plan which she will be needing information from Scott to complete for the county's requirements.

TOWN CLERK - Dawn Krul

1. The Town Clerk stated she would be on vacation from July 16th thru the 24th.

SUPERVISOR - Kim Park

1. Blind Sodus Bay Sewer Update -

RESOLUTION #37-14 ADOPTING STANDARDS OF WAYNE COUNTY WATER AND SEWER AUTHORITY FOR BLIND SODUS BAY SEWER DISTRICT -

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

**WHEREAS**, the Town of Wolcott ("Town") has entered into a Service Agreement dated March 19, 2014, (the "Service Agreement") with the Wayne County Water and Sewer Authority (the "Authority") for the Town's Blind Sodus Bay Sanitary Sewer District (the "District"); and

SUPERVISOR - (cont'd)

RESOLUTION - (cont'd)

**WHEREAS**, under the terms of the Service Agreement, the Town and Authority have agreed that the Authority will be responsible for operation and maintenance of the District, including supply, repair and replacement of the individual grinder pumps and related components, as applicable under the Service Agreement, that are essential to the operation of the low pressure sewer system to be installed in the District; and

**WHEREAS**, the Authority's Board of Directors has

passed a resolution (the "Standardizing Resolution") standardizing on "Environment One" brand grinder pump systems and related components for low pressure sanitary sewer systems in its service area, including grinder pumps, control panels, check valve assemblies, etc., for the reasons stated in the Standardizing Resolution.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Wolcott hereby adopts the standards of the Authority, as applicable, and as such applicable standards are set forth in the Service Agreement and the Standardizing Resolution.

**On Roll Call Vote** - Park "YES", Ellis "YES", Freer "YES"

Loveless "YES".

The Resolution was thereupon declared duly adopted.

Kim stated the main thing going on with the sewer district at this time are the easements. She said they are about at the halfway point with returned easements. She hopes to have an informational meeting, along with a possible mailing, take place around the end of August just to make sure that those in the district know all the facts pertaining to what could happen if they don't decide to hook up for the initial project.

2. Kim reported that a team of people went out over fourth of July weekend for the Town of Huron to get signatures on the petition for our joint Port Bay Sewer District.

3. Kim stated that the Wadsworth Road Water District needs to keep moving along in order to meet the March of 2015 deadline.

4. Kim again touched on Plan 2014 and her concerns, along with many others, for the towns along the shore of Lake Ontario, should this plan

be implemented.

5. Kim said the Economic Transformation Grant is taking a lot of her time with the specs not coming out until the Butler Correctional Facility is actually closed.

6. Kim mentioned the case for the former Galaxy Shop is going to be opened up again and DEC will be drilling some new wells and then testing those wells. Hopefully, the findings will give the site a clean bill of health.

SUPERVISOR - (cont'd)

7. Kim talked about Section 8 properties and possibly working towards getting some of these properties back on the tax roll.

8. Kim discussed the County's Multi-Jurisdictional All-Hazard Mitigation Plan. FEMA has approved this plan and in order to be eligible for FEMA funding, it is necessary for the towns and villages in Wayne County to adopt this plan.

RESOLUTION #38-14 ADOPTING WAYNE COUNTY MULTI-JURISDICTIONAL ALL-HAZARD MITIGATION PLAN -

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

WHEREAS, the Federal Emergency Management Agency (FEMA) has approved the Wayne County Multi-Jurisdictional All-Hazard Mitigation Plan; and

WHEREAS, FEMA requires that each participating municipality pass a resolution adopting this plan;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Wolcott hereby adopts the Wayne County Multi-Jurisdictional All-Hazard Mitigation Plan as the Town of Wolcott Hazard Mitigation Plan and the town clerk is hereby directed to forward two

signed/sealed copies of this resolution to the Wayne County Director of Emergency Management, located at 7376 Route 31, Suite 2000, Lyons, NY 14489-9174; and be it

FURTHER RESOLVED, that the Wayne County Director of Emergency Management is hereby authorized to forward one copy of said resolution to FEMA.

VOTE - AYES 4 NAYS 0.

OPEN FLOOR -

Kim fielded a question from the floor regarding the Wadsworth Road Water District.

The next regular meeting of the Wolcott Town Board will be held Aug. 19, 2014, at 6:00 PM at the Town Hall.

A motion was made by Chris Loveless, seconded by Russ Freer, to adjourn the meeting at 6:39 PM.

Respectfully submitted,

Krul,  
Clerk

Dawn M.  
Town







