

REGULAR MEETING & SPECIAL MEETING (PUBLIC HEARINGS)
WOLCOTT TOWN BOARD - August 21, 2018

A regular and special meeting (Public Hearings) of the Wolcott Town Board was held Tues., August 21, 2018, at 6:00 PM at the Town

Hall with the following people present:

PRESENT - Supervisor - Lynn Chatfield
Councilman - Adam Ellis, Jr.
Councilman - Daniel Youngman
Councilman - Zachary Decker
Councilwoman - Lori Furguson

OTHERS PRESENT - Dawn Krul, Town Clerk; Amber Roberts, Assessor/ Supervisor's Clerk; Don Camp, Code Enforcement Officer; Scott Maybe, Highway Supt.; Mary Anne McConkey, Court Clerk; Chris Bauer, Highway Dept.; Robert Huntington, Highway Dept.; Jack Whitaker, 6300 Wads-
worth Rd., Wolcott; Ronald Lancy, 11972 Cottage Rd.#1, Wolcott; Dan Smith, 6146 Lake Ave., Wolcott.

Copies presented to the Town Board:

1. Minutes of July 17, 2018 (Regular Meeting)
2. General Fund Claims (Unaudited)
3. Highway Fund Claims (Unaudited)
4. Port Bay SD 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 Chatfield called the meeting to order at 6:00 PM.

Pledge of Allegiance -

OPEN PUBLIC HEARING #1 - Transfer of Highway Funds

The Town Clerk read the notice of Public Hearing and showed proof of publication.

The Supervisor declared the Public Hearing open at 6:01 PM and asked for any questions or comments from the floor.

CLOSE PUBLIC HEARING #1 -

There being no questions or comments, a motion was made by Adam Ellis, seconded by Dan Youngman, to close public hearing at 6:02 PM.

VOTE - AYES 5 NAYS 0.

RESOLUTION #32-18 TO TRANSFER FUNDS FROM HIGHWAY ROAD IMPROVEMENT CD TO REIMBURSE GENERAL FUND CHECKING ACCOUNT FOR EADES ROAD BRIDGE EXPENSES -

The following resolution was presented Adam Ellis, moved by Zach Decker, seconded by Dan Youngman,

WHEREAS, the Town of Wolcott has completed construction on the Eades Road Bridge Project; and

WHEREAS, expenses incurred by said project have been paid out of the General Fund Checking Account; and

WHEREAS, the Town has been saving money in the Highway Road Im-provement CD; and

WHEREAS, the Town wishes to liquidate the Highway Road Improve-ment CD in the amount of \$87,918.94;

NOW, THEREFORE, BE IT RESOLVED, to liquidate the Highway Road Im-provement CD and transfer \$87,918.94 to the General Fund Checking Ac-count to reimburse said fund for expenses incurred by the Eades Road Bridge Project.

VOTE - AYES 5 NAYS 0 .

OPEN PUBLIC HEARING #2 - Franchise Agreement/Time Warner Cable

The Town Clerk read the notice of Public Hearing and showed proof of publication.

The Supervisor declared the Public Hearing open at 6:03 PM and asked for any questions or comments from the floor.

CLOSE PUBLIC HEARING #2 -

There being no questions or comments, a motion was made by Zach Decker, seconded by Dan Youngman, to close public hearing at 6:04 PM.

VOTE - AYES 5 NAYS 0 .

RESOLUTION #33-18 GRANTING OF A CABLE TELEVISION FRANCHISE HELD BY TIME WARNER CABLE NORTHEAST LLC IN THE TOWN OF WOLCOTT, COUNTY OF WAYNE, STATE OF NEW YORK -

The following resolution was presented by Adam Ellis, moved by Lori Furguson, seconded by Dan Youngman,

WHEREAS, a Public Hearing was held in the Town of Wolcott, New York on August 21, 2018, at 6 PM, and the notice of hearing was pub-

lished in the Lakeshore News legal ads on August 15, 2018;

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Wolcott finds that:

RESOLUTION - (cont'd)

1. Time Warner Cable Northeast LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and

2. Time Warner Cable Northeast LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and

3. Time Warner Cable Northeast LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

BE IT FURTHER RESOLVED, that the Town Board of the Town of Wolcott hereby grants the cable television franchise of Time Warner Cable Northeast LLC and the Town of Wolcott for fifteen (15) years commencing with the date of approval by the Public Service Commission and expiring fifteen (15) years hence.

BE IT FURTHER RESOLVED, that the Town Board of the Town of Wolcott hereby confirms acceptance of this Franchise Renewal Agreement.

VOTE - AYES 5 NAYS 0.

The foregoing resolution was declared duly adopted.

OPEN PUBLIC HEARING #3 - Local Law #1-2018 - Code of Ethics

The Town Clerk read the notice of Public Hearing and showed proof of publication.

The Supervisor declared the Public Hearing open at 6:05 PM and asked for any questions or comments from the floor.

CLOSE PUBLIC HEARING #3 -

There being no questions or comments, a motion was made by Zach Decker, seconded by Lori Furguson, to close public hearing at 6:06 PM

VOTE - AYES 5 NAYS 0.

RESOLUTION #34-18 ADOPTING LOCAL LAW #1-2018 ENTITLED "CODE OF ETHICS OF THE TOWN OF WOLCOTT" -

The following resolution was presented by Adam Ellis, moved by Zach Decker, seconded by Lori Furguson,

WHEREAS, Article 18 of the General Municipal Law prohibits the officers and employees of a municipality from having certain conflicts of interest; and

RESOLUTION - (cont'd)

WHEREAS, Section 806 of the General Municipal Law requires the governing body of each county, city (other than the City of New York) town, village and school district to adopt a code of ethics that sets

forth for the guidance of its officers and employees standards of conduct reasonably expected of them; and

WHEREAS, Section 806 of the General Municipal Law also authorizes the governing body of any other municipality to adopt such a code of ethics; and

WHEREAS, a code of ethics adopted by the governing body of a municipality must set forth standards of conduct for the guidance of the officers and employees of the municipality with respect to disclosure of interests in legislation before the local governing body, holding of investments in conflict with official duties, private employment in conflict with official duties, future employment, and such other standards as may be deemed advisable;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Wolcott hereby adopts a code of ethics - Local Law No. 1 of 2018 entitled "Code of Ethics of the Town of Wolcott".

VOTE - AYES 5 NAYS 0.

(Copy of "Code of Ethics of the Town of Wolcott" to be inserted in minute book.)

RESOLUTION #35-18 DESIGNATING THE WAYNE COUNTY BOARD OF ETHICS AS THE TOWN OF WOLCOTT'S BOARD OF ETHICS -

The following resolution was presented by Lori Furguson, moved by Zach Decker, seconded by Dan Youngman,

WHEREAS, the Town of Wolcott has adopted a code of ethics - Local Law #1-2018 entitled "Code of Ethics of the Town of Wolcott"; and

WHEREAS, the Town of Wolcott designates the Wayne County Board of

Ethics to serve as the Town's Board of Ethics;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Wolcott hereby designates the Wayne County Board of Ethics to serve as the Town of Wolcott's Board of Ethics - effective August 21, 2018.

VOTE - AYES 5 NAYS 0 .

JCAP Grant Application - Mary Anne McConkey

Mary Anne attended tonight's meeting to inform the board that she would be submitting the paperwork for another grant through the Justice Court Assistance Program (JCAP). She is seeking funding for an upgrade to the handicapped entrance, a walk-thru metal detector and/or more chairs for seating. Discussion.

RESOLUTION #36-18 AUTHORIZING THE JUSTICES TO APPLY FOR A GRANT FROM THE NYS JUSTICE COURT ASSISTANCE PROGRAM

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The following resolution was presented by Zach Decker, moved by Adam Ellis, seconded by Dan Youngman,

WHEREAS, the state has monies available for distribution through the Justice Court Assistance Program; and

WHEREAS, the Town of Wolcott Justices would like to upgrade the outside entrance to the handicapped ramp by adding an automatic door opener, purchase a walk-thru metal detector and more chairs for seating; and

WHEREAS, the Justices need funds to upgrade and/or purchase the

aforementioned items;

NOW, THEREFORE, BE IT RESOLVED, to authorize the Town of Wolcott Justices to apply for grant monies available through the Justice Court Assistance Program for said needs.

VOTE - AYES 5 NAYS 0 .

SHREDDING DAY - Mary Anne McConkey

Mary Anne also addressed the possibility of having a day for shredding of paper/documents. She has contacted the same company the town of Huron used. The fee for this service is \$200 per hour. Dis-cussion. Mary Anne will contact the Village to see if they want to help with expenses.

A motion was made by Adam Ellis, seconded by Zach Decker, to hold a shredding day at the Town Hall on Saturday, September 15th, for two hours from 9 AM to 11 AM.

VOTE - AYES 5 NAYS 0 .

Mary Anne thanked the board for their time and left at 6:20 PM.

GENERAL BUSINESS -

GENERAL CORRESPONDENCE -

1. Memo from the Board of Elections regarding the Democrat and Reform Primary to be held on September 13, 2018.

A motion was made by Zach Decker, seconded by Dan Youngman, to accept the minutes of July 17, 2018, general correspondence and de-departmental reports.

VOTE - AYES 5 NAYS 0 .

GENERAL BUSINESS - (cont'd)

ABSTRACT OF CLAIMS -

GENERAL ACCOUNT - Claims #268 thru #301 - total -
\$71,152.27

HIGHWAY ACCOUNT - DA Townwide & DB Outside - total -
\$137,590.36

PORT BAY SD - Claims #28 thru #31 - total - \$212,436.10

A resolution was presented by Adam Ellis, moved by Lori Furguson, seconded by Zach Decker "Be it RESOLVED to pay General, Highway, and Port Bay Sewer District claims as presented."

VOTE - AYES 5 NAYS 0 .

ASSESSOR/SUPERVISOR'S CLERK - Amber Roberts

1. Amber's office is being mandated thru the state to use new software programs for 2019. As their current computers will not accomodate the new software, they will need new computers next year.

2. Amber is working on the preliminaries for the 2019 budget.

3. Amber informed the board that the state-aid applied for in 2016 for the 2017 update finally came through. We were supposed to receive \$5.00 per parcel and we ended up getting a little under \$3.00 per parcel.

HIGHWAY - Scott Maybe

1. Scott stated the new truck is in Watertown being worked on. Scott gave details as to what was being done.

2. Scott is working on the warranty for the new

loader.

3. Scott and the highway crew will be paving Dry Bridge Road as soon as the weather cooperates.

CODE ENFORCEMENT OFFICER - Don Camp

1. Don was approached by Ron Lancy with regards to an abandoned property on Cottage Road. Ron would like to know what can be done as there is garbage, etc. still remaining on the property. Don was in-formed the owner has left the property with no forwarding address and/or phone number and therefore has no way of contacting her to clean up the mess. At the present time, with our current regulations the town cannot go on private property to do business. Don is hoping the possible changes being made to our current regulations will allow something to be done for things like this in the future. Discussion.

2. Don received an email from WA CO 911 project manager stating that a 220-foot tower is being placed on Wadsworth Road north of Furnace Road across from the WA CO Eggs facility. This is an FYI as it is a county project.

3. Don had two environmental forms needing to be signed by the Supervisor.

CODE ENFORCEMENT OFFICER - (cont'd)

RESOLUTION #37-18 AUTHORIZING THE SUPERVISOR TO SIGN
NEGATIVE
DECLARATION FOR A SHORT ENVIRONMENTAL QUALITY REVIEW (SEQR)
FORM FOR
EMILY POTT -

The following resolution was presented by Adam Ellis, moved by Dan Youngman, seconded by Zach Decker,

WHEREAS, Emily Pott has requested to construct a pet-boarding facility and a small home at 13201 Ridge Road, Wolcott; and

WHEREAS, our Local Law #1-2000, Section 501-C, requires a special permit to place a commercial establishment in an agricultural dis-trict; 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 5 NAYS 0 .

RESOLUTION #38-18 AUTHORIZING THE SUPERVISOR TO SIGN NEGATIVE DECLARATION FOR A SHORT ENVIRONMENTAL QUALITY REVIEW (SEQR) FORM FOR DONALD MORGAN -

The following resolution was presented by Dan Youngman, moved by Lori Furguson, seconded by Zach Decker,

WHEREAS, Donald Morgan has requested to build a small dwelling on top of a garage on .48 acres at the corner of West Bay Road and King Road in Wolcott; and

WHEREAS, our Local Law #1-2000, Section 501-D, states single fa-mily homes shall be placed on lots equal to or greater than one acre in size; 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 5 NAYS 0.

4. Don gave a copy of the new proposed fee schedule to all the board members. He would like to know if they had any comments and/or recommendations. He told them it was a board decision to accept it or not.

A motion was made by Zach Decker, seconded by Adam Ellis, to accept the new fee schedule as presented by Code Enforcement Officer,

Don Camp. VOTE - AYES 5 NAYS 0.

TOWN CLERK - Dawn M. Krul

1. The Town Clerk informed the board of term expirations for Jack Whitaker for Board of Appeals and Virginia Fletcher for Board of Assessment Review on September 30th. She wanted to know what they wanted to do about these term expirations. Discussion. Amber said she would advertise for the B.A.R. The Town Clerk will advertise the position for B.O.A.

2. The Town Clerk reported that conservation license sales were okay. We don't get the revenue we used to due to other types of busi- nesses being able to sell them as well.

3. The Town Clerk stated the Town Hall offices would be closed September 3rd for Labor Day.

SUPERVISOR - Lynn Chatfield

OLD BUSINESS -

1. Land Use Code - Councilman Ellis and Don Camp will continue

to work toward finalizing this project.

2. Fee Schedule - discussed and accepted earlier under Don Camp.

3. Security System - Lynn will get with Jack Whitaker and hope-fully get this up and running as the original installer no longer is living in New York.

4. Blind Sodus Bay Water District - on back burner.

5. Brown/Wadsworth Road Water District - Dave Doyle is working on the changes needing to be made to this district.

6. Eades Road Bridge - Lynn gave the board members copies of the resolution passed at the county accepting the bridge as the county's responsibility.

7. Port Bay Sewer District - this project is finally underway.

8. Dates for Fall Clean-up and Electronics Recycling - The Fall

Cleanup day will be September 8th and Electronics Recycling will be

September 15th along with paper/document shredding.

9. Sexual Harrassment Policy/Training - will need to be done in the near future.

NEW BUSINESS -

1. Logging of Town Property - Councilman Decker approached Tom

Johnson regarding logging of town property. He is currently logging

property adjacent to the town's property which was logged around 10 years ago. Tom looked at the woods and said it is ready to be logged again. Discussion.

A motion was made by Zach Decker, seconded by Adam Ellis

to give permission to Tom Johnson to log the town's property.

VOTE - AYES 5 NAYS 0.

SUPERVISOR - (cont'd)

2. Lead Agency Resolution for Blind Sodus Bay Erosion Project -

RESOLUTION #39-18

Town of Wolcott

Imminent Threat Grant - CDBG #1268IT224-17

Shoreline Protection/Stabilization Project

Lead Agency Resolution -

The following resolution was presented by Adam Ellis, moved by Zach Decker, seconded by Dan Youngman,

RESOLVED, that in accordance with the New York State Environmental Quality Review regulations (SEQR), the Town Board of the Town of Wolcott announces its intent to serve as Lead Agency to conduct an environmental review of a project to construct a revetment approximately 220 feet long by 20 to 26 feet high along the shoreline on Blind Sodus Bay Road under Section 617.7 of the New York State Codes, Rules, and Regulations (NYSCR).

FURTHER RESOLVED, that the Town Board has determined that the proposed action is an "Unlisted Action" as defined under SEQR.

FURTHER RESOLVED, that the Town Board, in its capacity of lead agency, has caused to be prepared Part 1 of the Environmental Assess-

ment Form for this project. The Town Board hereby accepts the envi-ronmental assessment of the proposed project prepared by LaBella Associates, D.P.C., dated August 20, 2018.

FURTHER RESOLVED, that in accordance with the requirements of the funding agency, the Town Board will notifiy the Involved Agencies of its intent to act as Lead Agency for this project and will provide them with a copy of Part 1 of the short Environmental Assessment Form Comments regarding the Environmental Assessment and the Town's inten-tion to assume Lead Agency status will be received from the Involved Agencies during the 30-day review period.

On Roll Call Vote - Chatfield "YES", Ellis "YES",
Youngman "YES",
Decker "YES", Furguson "YES".

The resolution is declared duly adopted.

SUPERVISOR - (cont'd)

3. Transfer Funds to FEMA Project Account from
General Account -
RESOLUTION #40-18 TO TRANSFER FUNDS FROM GENERAL
CHECKING ACCOUNT
TO FEMA PROJECT ACCOUNT -

The following resolution was presented by Zach Decker, moved by Lori Furguson, seconded by Adam Ellis,

WHEREAS, the Town of Wolcott has been awarded funding thru FEMA for temporary repairs to the Blind Sodus Bay Embankment; and

WHEREAS, the Town of Wolcott is responsible for twelve and a half percent of the total project amount; and

WHEREAS, twelve and a half percent of the total project amount is \$27,890.49;

NOW, THEREFORE, BE IT RESOLVED, to transfer \$27,890.49 from the General Checking Account to the FEMA project account to cover the Town's portion of the project.

VOTE - AYES 5 NAYS 0.

4. Proposal for Professional Services for FEMA Project from MRB -

Lynn received the proposal for Professional Services from MRB Group for the FEMA Project at the end of Blind Sodus Bay Road. Dis-cussion. Lynn needs to sign the proposal.

A motion was made by Zach Decker, seconded by Lori Furguson to authorize Lynn to sign MRB's proposal for Professional Services.

VOTE - AYES 5 NAYS 0.

Privilege of the Floor -

Lynn offered privilege of the floor. Jack Whitaker gave a brief update on the finished Eades Road Bridge Project.

Amber mentioned last Friday WA CO IDA held a Public Hearing on the proposed PILOT (Payment-in-lieu-of-taxes) for the solar project on 104A outside of Red Creek. Discussion.

EXECUTIVE SESSION -

A motion was made by Zach Decker, seconded by Lori Furguson, to move into executive session at 7:08 PM to discuss Highway contract negotiations. (Everyone left at this time except for the board and Amber.)

VOTE - AYES 5 NAYS 0.

CLOSE EXECUTIVE SESSION -

A motion was made by Lori Furguson, seconded by Zach Decker, to close executive session at 8:36 PM.

VOTE - AYES 5 NAYS 0.

The next regular meeting of the Wolcott Town Board will be held
September 18, 2018, at 6:00 PM at the Town Hall.

A motion was made by Adam Ellis, seconded by Zach Decker, to ad-journ the meeting at 8:37 PM.

submitted,

Respectfully

Dawn M. Krul
Town Clerk

