

REGULAR & SPECIAL MEETING (PUBLIC HEARING)
WOLCOTT TOWN BOARD - SEPTEMBER 23, 2014

A regular & special meeting (public hearing) of the Wolcott Town Board was held Tues., Sept. 23, 2014, at 6:00 PM at the Wolcott Town Hall with the following people present:

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

OTHERS PRESENT - Dawn Krul, Town Clerk; Amber Roberts, Assessor/ Bookkeeper, Donald Camp, Code Enforcement Officer; Scott Maybe, Highway Supt.; Gary Penner, 8506 East Port Bay Rd., Wolcott; William & Barbara Clifford, 7771 Dove Rd., Wolcott; Chad Countryman, 7583 East Port Bay Rd., Wolcott; Kenneth Kieliszak, 8345 East Port Bay Rd., Wolcott; Gene & Roberta Beavers, 8346 East Port Bay Rd., Wolcott; Ronald Lancy, 11972 Cottage Rd. #1, Wolcott.

Copies presented to the Town Board:

1. Minutes of August 19, 2014 (Regular Meeting)
2. Minutes of September 2, 2014 (Special Meeting)
3. Minutes of September 12, 2014 (Special Meeting)
4. General Fund Claims (Unaudited)
5. Highway Fund Claims (Unaudited)
6. 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 - Port Bay Sewer 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 6:07 PM and asked for any questions and/or comments from the floor regarding the Port Bay Sewer District and to state their name and address for the record.

PRIVILEGE OF THE FLOOR - Port Bay Sewer District

Several members of the public had questions and/or concerns during this time of discussion. Some of their questions/concerns were as follows: the timeline for beginning construction; obtaining easements for private roads; fixing the landscape after construction; determining costs to the property owners within the district; is it mandatory to hook up to the sewer line. Supervisor Park and the rest of the board answered their questions and concerns to the best of their knowledge and ability.

CLOSE PUBLIC HEARING -

There being no further questions or comments from the floor, a motion was made by Russ Freer, seconded by Henry Felker, to close the Public Hearing at 6:30 PM. VOTE - AYES 4 NAYS 0.

RESOLUTION #48-14
ESTABLISHING THE PORT BAY SEWER 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 Henry Felker,

In the Matter of the Establishment of the Port Bay Sewer District pursuant to Article 12-A

ORDER

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 Port Bay Sewer District, consisting of sanitary sewer system improvements in, and to service, in general, properties along Furnace Road, West Port Bay Road and associated side roads including Wood Tract Road, North and South Maple Streets, and Tompkins Point Road; and East Port Bay Road and associated side roads including Martin, Eagle, Dove, Thrush, Roney, Robin, Jay, Finch and Cardinal Roads in the Town of Wolcott, together with valves, and other apparatus and appurtenances, and

WHEREAS, it is anticipated that the Port Bay Sewer District will be built in conjunction with a separate sewer district established or to be established in the adjacent Town of Huron, to be

known as Huron Sewer District No. 1; and

WHEREAS, the Town Board of the Town of Wolcott duly adopted on September 2, 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 September 23, 2014, at 6:00 p.m. at the Wolcott Town Hall located at No. 6070 Lake Avenue, Wolcott, New York, for the purpose of establishing the described sanitary sewer 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 Environmental Quality Review Act during September of 2013, 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 sanitary sewer district are benefitted thereby.
3. That all of the property and property owners benefitted are included within the proposed sanitary sewer district.
4. That it is in the public interest to establish the proposed sanitary sewer district and be it,

FURTHER RESOLVED, that the Town Board does hereby approve the establishment of the Port Bay Sewer 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 and to be known as the Port Bay Sewer Water District.

FURTHER RESOLVED, that the maximum amount to be expended for the sewer system improvements is ten million, five hundred thousand (\$10,500,000.00) dollars, and be it

FURTHER RESOLVED, that the method of financing shall be through a loan from the New York State Environmental Facilities Corporation-Clean Water State Revolving Fund in the amount of ten million five hundred thousand (\$10,500,000.00) dollars, the

loan to be repaid in annual installments amortized over not more than a thirty (30) year period with an interest rate projected at 0.00 percent, and be it

FURTHER RESOLVED, that the method of payment and manner of ap-portionment of cost, for said financing the loan of ten million five hundred thousand (\$10,500,000.00) dollars from the New York State Environmental Facilities Corporation-Clean Water State Revolving Fund shall be by annual installments raised from a levy upon the several lots in the Port Bay Sewer District, and assessed on a benefit basis upon all of the improved real property situate within said proposed sewer district. There is presently counted approximately six hundred nineteen (619) benefit units within proposed project, including 433 units in the Town of Wolcott and 186 units in the Town of Huron. The estimated hook-up fees for homeowners who hook up to the system immediately are approximately one thousand five hundred (\$1,500.00) dollars to three thousand (3,000.00) dollars per connection which includes costs associated with the incorporation of the grinder pump into the existing plumbing and interior electric, and costs for pumping out and abandoning the existing septic tanks. For these homeowners, there will be no charge for the installation of the grinder pump. For homeowners that connect after completion of the improvements in the district the estimated one-time charge for hook-up is to be between two thousand five hundred (\$2,500.00) dollars and four thousand (\$4,000.00) dollars per connection, which includes the costs described above, as well as the cost of installation of the grinder pump. 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 eight hundred ninety five (\$895.00) dollars for the first year following district formation, including debt

service, treatment and operation and maintenance, based upon the present number of units, consisting of approximately two hundred fifty (\$250.00) dollars in sewer use charges, \$30.00 estimated electrical charge for the grinder pump and \$50.00 for capital fund for grinder replacement and approximately five hundred sixty five (\$565.00) dollars in annual principal and interest on the indebtedness. The estimated annual cost of the District to a two-family home would range from one thousand four hundred fifty seven and 50/100 (\$1,457.50) to one thousand five hundred seven and 50/100 (\$1,507.50) (including \$847.50 debt service, \$500.00 sewer use charges, \$60.00 estimated electrical charge for grinder pumps and \$50.00 to \$100.00 for capital fund for grinder pump replacement depending on the number of pumps employed) as detailed in the Map, Plan and Report. Vacant waterfront buildable land will be assessed 0.5 equivalent benefit units and vacant non-waterfront and/or non-buildable land will be assessed 0.05 equivalent benefit units until 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 Sanitary Sewer District in the manner and form prescribed 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", Felker "YES", Freer "YES",

Loveless "YES"

GENERAL BUSINESS -

GENERAL CORRESPONDENCE -

No general correspondence for this month.

A motion was made by Kim Park, seconded by Henry Felker, to accept the minutes of August 19, September 2, and September 12, 2014, and departmental reports. VOTE - AYES 4 NAYS 0.

ABSTRACT OF CLAIMS -

GENERAL ACCOUNT - Claims #273 thru #308 - total - \$11,671.41

HIGHWAY ACCOUNT - DA Townwide & DB Outside - total - \$34,465.30

BLIND SODUS BAY SD - Claims #13 thru #15 - total - \$352.08

A resolution was presented by Kim Park, moved by Chris Loveless, seconded by Henry Felker "Be it RESOLVED to pay General, Highway, and Blind Sodus Bay Sewer District claims as presented."

VOTE - AYES 4 NAYS 0.

ASSESSOR/BOOKKEEPER - Amber Roberts

Bookkeeper -

1. Amber referenced the Tentative Budget she had turned into the Town Clerk, who made copies, and was now in front of them. She stated there would be a budget workshop on September 30th at 6:00 PM She explained what some of the pages contained and told

them to get in touch with her at any time before the workshop if they needed to. Otherwise, they would discuss the details at next week's meeting.

ASSESSOR/BOOKKEEPER - (cont'd)

Assessor -

1. Amber is doing a re-inventory of the entire Butler Prison site. She now has a report from the state on the closure with de-tailed information on all the buildings located on the property within the towns of Wolcott and Butler. At this point, Supervisor Park interjected that Wolcott has kind of taken the lead on the Economic Transformation Grant which impacts areas that surround the prison. The grant package will be submitted to Empire State Development in hopes that something positive can be done with this property to enhance the surrounding communities.

2. Amber reported that her intern Nathan Mack's last day was today. He has been working in her office since January and has been hired for the position of assessor in the town of Sodus.

3. Amber is working on sewer and water district charges for the Blind Sodus Bay Sewer Project and the Wadsworth Road Water District.

HIGHWAY - Scott Maybe

1. Scott would like to appoint Christopher Bauer as his Deputy Highway Superintendent.

RESOLUTION #49-14 AUTHORIZING HIGHWAY SUPERINTENDENT TO APPOINT CHRISTOPHER BAUER AS DEPUTY HIGHWAY SUPERINTENDENT -

The following resolution was presented by Kim Park, moved by Henry Felker, seconded by Chris Loveless,

WHEREAS, the position of Deputy Highway Supt. is vacant due to the retirement of Donald Dates; and

WHEREAS, Highway Supt., Scott Maybe, wishes to fill this vacan-cy; and

WHEREAS, Highway worker, Christopher Bauer, has been asked and is willing to accept this position;

NOW, THEREFORE, BE IT RESOLVED, Highway Supt., Scott Maybe, is authorized to appoint Christopher Bauer as Deputy Highway Supt.

VOTE - AYES 4 NAYS 0.

2. Scott approached the board with his desire to hire two new workers for the highway department. Supervisor Park said this would be discussed later in the meeting.

CODE ENFORCEMENT OFFICER - Don Camp

Nothing to report this month.

TOWN CLERK - Dawn Krul

Nothing to report this month.

SUPERVISOR - Kim Park

1. Kim reported that very soon we will be publishing the legal ad to go out for bids on the Blind Sodus Bay Sewer Project.

2. Kim updated us once again on the Wadsworth Road Water Dis-trict where an agreement needs to be executed with the Wayne County Water & Sewer Authority for construction of the district.

RESOLUTION #50-14 AUTHORIZING THE SUPERVISOR TO SIGN AGREEMENT WITH WAYNE COUNTY WATER & SEWER AUTHORITY FOR CONSTRUCTION OF WADS-WORTH ROAD WATER DISTRICT -

The following resolution was presented by Kim Park, moved by Russ Freer, seconded by Henry Felker,

WHEREAS, there is a need for public water on the northern end of Wadsworth Road requested by residents and a major employer; and

WHEREAS, the Town Board believes it is in the best interest of the Town to construct said water district; and

WHEREAS, the Town obtained preliminary approval of residents in said district via informational meetings and has worked out funding agreements with Lyons National Bank, Kreher Farms and Wayne County IDA; and

WHEREAS, the Town has had preliminary discussions with our act-ing water & sewer department regarding feasibility of installation of a waterline in the tight time completion date of March of 2015;

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes the Supervisor to sign an agreement with Wayne County Water & Sewer Au-thority to construct the Wadsworth Road Water District improvements contingent upon receipt of an acceptable price proposal from the Authority that is no greater than the estimated construction cost exhibited in the map, plan and report for said project and contin-gent on approval of cooperative agreement by the Town Attorney.

VOTE - AYES 4 NAYS 0.

3. Kim stated that Court Clerk Mary Anne McConkey would like to put in for another justice grant. Discussion was had regarding what they

would like to utilize the money for should they be approved.

RESOLUTION #51-14 AUTHORIZING THE JUSTICES TO APPLY FOR A GRANT FROM THE NYS JUSTICE COURT ASSISTANCE PROGRAM -

The following resolution was presented by Kim Park, moved by Russ Freer, seconded by Henry Felker,

WHEREAS, the state has monies available for distribution through the Justice Court Assistance Program; and
WHEREAS, the Town of Wolcott Justices are in need of additional courtroom space; and
WHEREAS, a portion of the building is available to convert into the needed courtroom space; and
SUPERVISOR - (cont'd)

RESOLUTION - (cont'd)

WHEREAS, the Justices need funds to convert the available space;

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 4 NAYS 0.

4. Kim presented a resolution to re-appoint Kenneth Burgess to the Board of Assessment Review.

RESOLUTION #52-14 RE-APPOINTING KENNETH E. BURGESS TO THE BOARD OF ASSESSMENT REVIEW -

The following resolution was presented by Kim Park, moved by Russ Freer, seconded by Henry Felker,

WHEREAS, the appointment of Kenneth E. Burgess to the Board of Assessment Review expires September 30, 2014; and

WHEREAS, the Town needs to fill said position; and

WHEREAS, the Town and Kenneth E. Burgess have both agreed to continue said appointment;

NOW, THEREFORE, BE IT RESOLVED, Kenneth E. Burgess is re-appointed to the Board of Assessment Review for a 5-year term from October 1, 2014, thru September 30, 2019.

VOTE - AYES 4 NAYS 0.

5. Kim discussed with the rest of the board and other town employees the various repairs and things needing to be addressed as far as our building is concerned.

6. Kim brought up the need to find someone to be willing and available to shovel snow for the town hall this winter before and, when needed, during office hours.

EXECUTIVE SESSION -

A motion was made by Kim Park, seconded by Henry Felker, to move into executive session at 7:01 PM to discuss a personnel issue re-garding a particular person. VOTE - AYES 4 NAYS 0. (Everyone left at this time except for Highway Supt., Scott Maybe.)

CLOSE EXECUTIVE SESSION -

A motion was made by Chris Loveless, seconded by Henry Felker, to close executive session at 7:27 PM. VOTE - AYES 4 NAYS 0.

The next regular meeting of the Wolcott Town Board will be held Oct. 21, 2014, at 6:00 PM at the Town Hall.

A motion was made by Russ Freer, seconded by Chris Loveless, to adjourn the meeting at 7:28 PM.

Respectfully submitted,

Krul,
Clerk

Dawn M.
Town

