

REGULAR MEETING - WOLCOTT TOWN BOARD - SEPTEMBER
19, 2017

A regular meeting of the Wolcott Town Board was held Tues., Sept. 19, 2017, at 6:00 PM at the Town Hall with the following people pre-sent:

PRESENT - Supervisor - Lynn Chatfield
Councilman - Adam Ellis, Jr.
Councilman - Russell Freer, Jr.

(ABSENT)

Councilman - Christopher Loveless
Councilman - Daniel Youngman

OTHERS PRESENT - Dawn Krul, Town Clerk; Amber Roberts, Assessor/ Supervisor's Clerk; Don Camp, Code Enforcement Officer; Scott Maybe, Highway Supt.; Robert Huntington, Highway Dept.; Carol Myers, 7760 West Port Bay Rd., Wolcott; Jack Whitaker, 6300 Wadsworth Road, Wolcott; Ronald Lancy, 11972 Cottage Rd.#1, Wolcott; Derek Ceratt, 11903 West Main St., Wolcott; Lori Furguson, 7870 North Maple Rd., Wolcott; Zachary Decker, 12975 Red Creek Rd., Wolcott.

Copies presented to the Town Board:

1. Minutes of August 15, 2017 (Regular Meeting)
2. General Fund Claims (Unaudited)
3. Highway Fund Claims (Unaudited)
4. Port Bay SD 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 Chatfield called the meeting to

order at 6:00 PM.

Pledge of Allegiance -

SPECIAL PERMIT REQUEST - Raymond Hauss
29 Judy Ann Dr.
Rochester, NY 14616
Property Location - 9470 Blind Sodus Bay
Rd.
Red Creek, NY 13143
Tax Map #78121-09-
004646

Code Enforcement Officer, Don Camp, presented Special Permit Re-quest #3-2017, which was brought before the Town Board Aug. 15, 2017, at which time a negative impact was declared on the environment and signed by the Supervisor. It was brought before the local Planning Board for review on Sept. 5, 2017.

SPECIAL PERMIT REQUEST - (cont'd)

Request regarding Town of Wolcott Local Law #1-2000 Section 502-C which states specially permitted uses include recreational develop-ment, mobile homes and expansion of pre-existing commercial uses and single family homes, including manufactured and mobile homes, on less than one acre of land in a waterfront area. Mr. Hauss would like to demolish his existing cottage and build a new home.

Don reported that the County Planning Board and the local Plan-ning both approved the request. Also, the neighbors were sent notices

with no one responding either way.

There being no objections from the Town Board, the following resolution was presented by Chris Loveless, moved by Dan Youngman, seconded by Adam Ellis "Be it RESOLVED that the Wolcott Town Board approve the request of Raymond Hauss and the recommendation of the Planning Board to the Town Board."

VOTE - AYES 4 NAYS 0.

SPECIAL PERMIT REQUEST - Peter VanderBrooke
1010 Middle Rd.
Rush, NY 14543
Property Location - 8477 East Port Bay Rd.
Wolcott, NY 14590
Tax Map #75120-14-

375402

Code Enforcement Officer, Don Camp, presented Special Permit Request #2-2017, which was brought before the Town Board July 18, 2017, at which time a negative impact was declared on the environment and signed by the Supervisor. It was brought before the local Planning Board for review on Aug. 7, 2017.

Request regarding Town of Wolcott Local Law #1-2000 Section 502-C which states specially permitted uses include recreational development, mobile homes and expansion of pre-existing commercial uses and single family homes, including manufactured and mobile homes, on less than one acre of land in a waterfront area. Mr. VanderBrooke would like to demolish his existing cottage and build a new home.

Don reported that the County Planning Board and the local Planning Board both approved the request. Also, the neighbors were sent notices

with no one responding either way.

There being no objections from the Town Board, the following resolution was presented by Adam Ellis, moved by Dan Youngman, seconded by Chris Loveless "Be it RESOLVED that the Wolcott Town Board approve the request of Peter VanderBrooke and the recommendation of the Planning Board to the Town Board."

VOTE - AYES 4 NAYS 0.

GENERAL BUSINESS -

GENERAL CORRESPONDENCE -

1. Notice from Town of Sterling regarding a Public Hearing scheduled for Sept. 19, 2017, on the adoption of Amending Land Use Regulations as a Local Law to include Solar Photovoltaic Systems.

2. Letter from Senator Pam Helming thanking us for hosting her and her staff during their recent Mobile Office Hours event.

A motion was made by Chris Loveless, seconded Adam Ellis, to accept the minutes of Aug. 15, 2017, general correspondence and departmental reports.

VOTE - AYES 4 NAYS 0.

ABSTRACT OF CLAIMS -

GENERAL ACCOUNT - Claims #284 thru #306 - total - \$4,719.60

HIGHWAY ACCOUNT - DA Townwide & DB Outside - total - \$49,578.34

PORT BAY SD - Claims #24 Thru #26 - total -
\$15,141.33

A resolution was presented by Adam Ellis, moved by Dan Youngman, seconded by Chris Loveless "Be it RESOLVED to pay General, Highway, and Port Bay Sewer District claims as presented."

VOTE - AYES 4 NAYS 0.

ASSESSOR/SUPERVISOR'S CLERK - Amber Roberts

1. Amber has been working with Wayne County IDA on a PILOT (payment in-lieu of taxes) program for the solar project on Rt. 104A.

HIGHWAY - Scott Maybe

1. Scott handed in a check from scrap metal collected at our fall cleanup day on Sept. 16th.

2. Scott called and left a message with Sunnking who have yet to retrieve the rest of the televisions/computer monitors left from our cleanup day in June. The Town Clerk will also call on Thursday to try and get this resolved.

3. Scott has taken care of the big tree down on Waters Road that needed to be attended to.

4. The highway crew will finish up stoning and oiling roads over the next few weeks.

CODE ENFORCEMENT OFFICER - Don Camp

1. Don had four environmental forms needing to be signed by the Supervisor.

RESOLUTION #34-17 AUTHORIZING THE SUPERVISOR TO SIGN NEGATIVE DECLARATION FOR A SHORT ENVIRONMENTAL QUALITY REVIEW (SEQR) FORM FOR GERBER HOMES & ADDITIONS -

The following resolution was presented by Chris Loveless, moved by Adam Ellis, seconded by Dan Youngman,

WHEREAS, Gerber Homes & Additions has requested to demolish an existing cottage and build a new home for William & Sarah Butler lo-cated at 7895 Finch Road in the Town of Wolcott; and

WHEREAS, our Local Law #1-2000, Section 502-C, requires a special permit to demolish an existing structure and build a new structure on less than once acre of land in a waterfront area; 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.

RESOLUTION #35-17 AUTHORIZING THE SUPERVISOR TO SIGN NEGATIVE DECLARATION FOR A SHORT ENVIRONMENTAL QUALITY REVIEW (SEQR) FORM FOR JOHN & CATHERINE WRIGHT -

The following resolution was presented by Adam Ellis, moved by Dan Youngman, seconded by Lynn Chatfield,

WHEREAS, John & Catherine Wright have requested to demolish an existing structure and build a new single family home located at 11709 Tompkins Point Road in the Town of Wolcott; and

WHEREAS, our Local Law #1-2000, Section 502-C, requires a special permit to demolish an existing structure and build a new structure on less than once acre of land in a waterfront area; 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 3 NAYS 0. Councilman Loveless ABSTAINED.

CODE ENFORCEMENT OFFICER - (cont'd)

RESOLUTION #36-17 AUTHORIZING THE SUPERVISOR TO SIGN NEGATIVE DECLARATION FOR A SHORT ENVIRONMENTAL QUALITY REVIEW (SEQR) FORM FOR JOSUE ROMERO OWNER OF BLACK CREEK FARM -

The following resolution was presented by Chris Loveless, moved by Dan Youngman, seconded by Adam Ellis,

WHEREAS, Josue Romero has requested to re-open Black Creek Farm

as a Bed & Breakfast and would like to include the barn as a venue space located at 13615 Mixer Road in the Town of Wolcott; and

WHEREAS, our Local Law #1-2000, Section 501-C, requires a special permit for commercial uses 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.

RESOLUTION #37-17 AUTHORIZING THE SUPERVISOR TO SIGN NEGATIVE DECLARATION FOR A SHORT ENVIRONMENTAL QUALITY REVIEW (SEQR) FORM FOR TAMMY GUROWSKI -

The following resolution was presented by Dan Youngman, moved by Adam Ellis, seconded by Chris Loveless,

WHEREAS, Tammy Gurowski has requested to demolish an existing structure and build a new single family home located at 7848 South Maple Road in the Town of Wolcott; and

WHEREAS, our Local Law #1-2000, Section 502-C, requires a special permit to demolish an existing structure and build a new structure on less than once acre of land in a waterfront area; 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.

TOWN CLERK - Dawn Krul

1. The Town Clerk had been contacted by American Power and Gas Company in hopes the Town would utilize their services for the Town's electric bill. Discussion. The Town Board opted to continue using RG&E as our provider.

2. The Town Clerk stated the Town Hall offices will be closed on Monday, October 9th for Columbus Day.

SUPERVISOR - Lynn Chatfield

OLD BUSINESS -

1. Assessor's/Town Clerk's records room - still nothing from Ron Gill regarding shelving or making it handicapped accessible.

2. Land Use Code - still waiting to hear from our attorney.

3. Security System - as Finger Lakes Security Systems is the only quote obtained for the monitoring we need for our new security system, and it has been over two months now, the Town Board agreed it's time to move forward and utilize their services. The Town Clerk will contact Mark Sauer to get this process going.

4. Water/Sewer Unit Charges - Amber has finalized the work she has been doing on the water and sewer unit charges resulting in the

following resolutions:

RESOLUTION #38-17 AMENDING RESOLUTION #59-14
ASSESSING UNIT CHARGES FOR LOTS AROUND IMMEDIATE
WATERFRONT AREA IN THE TOWN OF WOLCOTT SEWER
DISTRICTS -

The following resolution was presented by Adam Ellis, moved by Chris Loveless, seconded by Dan Youngman,

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

WHEREAS, public sewer will make lots previously non-buildable so that permanent structures can be on said lots as well as increasing saleable value of said lots; and

WHEREAS, 1.0 unit charge will be assigned for primary residential structure per parcel; and

WHEREAS, under this potential joint project with the Town of Huron inequity needs to be addressed for all property owners; and

WHEREAS, the Town of Huron recently passed a resolution regarding charging one-half unit for vacant parcels on the waterfront; and

WHEREAS, other unique circumstances occur in sewer districts not fitting the standard one unit for parcels with residential structures; and

WHEREAS, the following criteria will be used for parcels not fitting the standard one unit for parcels with a residential structure:

- 0 unit charge for non-buildable lots -
(a parcel is deemed non-buildable by the Town Board and Code Enforcement Officer and no unit charge will apply)

- 0 unit charge for parcels serviced by another district

where charge is applied by said district

- .05 will be charged for vacant parcels off waterfront

- .10 will be charged for a commercial campsite

-

(mobile homes located within the confines of a seasonal campground shall be considered campsites for unit charge purposes provided the campground closes during the winter

months on a yearly basis)

SUPERVISOR - (cont'd)

RESOLUTION - (cont'd)

- .50 unit charge per additional residential structure with

one (1) primary unit being charged

- .50 unit charge for vacant waterfront buildable

- a minimum of 1.0 unit will be charged for commercial pro-

perties with commercial uses; additional charges may apply

based on commercial or industrial uses based on estimated

water consumption.

**-.50 unit charge for properties, regardless of on or off wa-

terfront, within 300 property class, vacant with improve-

ment (Barns, Decks, Docks, etc.), that have no plumbing fa-

cilities and do not have a pump or basin placed.

** - Change of use on these properties would result in recalcu-

lation of unit charge based on the sewer

unit charge in the
original resolution adopted November 10,
2014.

WHEREAS, a pump replacement fee of \$50.00 will be charged for each primary parcel with 1.0 primary unit; each pump or basin placement with anticipation of a pump drop regardless of units charged;

NOW, THEREFORE, BE IT RESOLVED, unit charges stated in this resolution will be the policy followed for unit charges in sewer districts in the Town of Wolcott.

VOTE - AYES 4 NAYS 0.

RESOLUTION #39-17 ESTABLISHING A ZERO UNIT CHARGE FOR CERTAIN PARCELS ON PORT BAY THAT ARE NON-BUILDABLE LOTS -

The following resolution was presented by Chris Loveless, moved by Adam Ellis, seconded by Dan Youngman,

WHEREAS, certain parcels are non-buildable due to substantial reduction of size of parcel caused by erosion; and

WHEREAS, it is necessary to assign these parcels a zero unit charge for sewers in the Port Bay Sewer District;

NOW, THEREFORE, BE IT RESOLVED, the following parcels are deemed non-buildable by the Town Board and shall have a zero unit charge in the Port Bay Sewer District:

- 8024 North Maple Road - Tax Map #75119-07-502826
- 11703 Tompkins Point Road - Tax Map #75120-18-461042
- 11733 Tompkins Point Road - Tax Map #75119-

06-519019

- 11714 Tompkins Point Road - Tax Map #75120-18-448038

- 7791 Dove Road - Tax Map #75119-11-686539
- 7887 Finch Road - Tax Map #75119-11-659667
- 8378 Thrush Road - Tax Map #75120-14-418309
- 8382 Thrush Road - Tax Map #75120-14-412307

VOTE - AYES 4 NAYS 0.
SUPERVISOR - (cont'd)

5. Port Bay Sewer District - Amber explained the reason for needing an amended legal services agreement with our attorney.

RESOLUTION #40-17 AUTHORIZING THE SUPERVISOR TO SIGN AMENDED LEGAL SERVICES AGREEMENT WITH TOWN ATTORNEY, ART WILLIAMS, FOR THE PORT BAY SEWER DISTRICT -

The following resolution was presented by Chris Loveless, moved by Adam Ellis, seconded by Dan Youngman,

WHEREAS, the Town previously authorized the Supervisor to sign a legal services agreement with Town Attorney, Art Williams, for the Port Bay Sewer District; and

WHEREAS, it has become necessary to amend the previous agreement of "\$175.00 per hour - not to exceed \$10,000.00" due to costs incurred above and beyond that amount; and

WHEREAS, the Town needs to cover all expenses for services rendered by our legal counsel;

NOW, THEREFORE, BE IT RESOLVED, the Supervisor is authorized to sign amended agreement with Town Attorney, Art Williams, for "\$175.00 per hour - not to exceed \$40,000.00" for the Port Bay Sewer

District.

VOTE - AYES 4 NAYS 0 .

6. Brown/Wadsworth Road Water District - Lynn spoke with Dave Doyle this afternoon who informed him that Cindy Newcomb, USDA, said any day now funds should be released for this project.

7. Wayne County Eggs - Lynn will meet this Friday with Wayne County Eggs, Wayne County IDA, Wayne County Water & Sewer and MRB Group to discuss the possible extension of the watermain on Wadsworth Road from the egg farm to the south. Discussion.

8. Blind Sodus Bay Water District - to be discussed at the meeting on Friday as well.

9. Report on Additional Town Cleanup Day - Lynn stated we had a fairly decent turnout for the first time holding a fall cleanup day.

10. Trimming Trees Around Building - Lynn reported the trees were trimmed as well as removing some that were bad.

NEW BUSINESS -

1. Blind Sodus Bay Erosion Problem - this will be discussed at the meeting on Friday as well. The state has potential funds for this so we have to come up with a plan and engineering costs and fill out the grant application to apply for the funding.

SUPERVISOR - (cont'd)

2. Justices to apply for grant from JCAP -

RESOLUTION #41-17 AUTHORIZING THE JUSTICES TO
APPLY FOR A GRANT FROM THE NYS JUSTICE COURT
ASSISTANCE PROGRAM -

The following resolution was presented by Adam Ellis, moved by Dan Youngman , seconded by Chris Loveless,

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 modifying the original courtroom area by adding a jury box and removing a jani-tor's closet along with other additions and upgrades; and

WHEREAS, the Justices need funds to modify 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.

3. Re-appoint K. Michael Caywood to BAR -

RESOLUTION #42-17 RE-APPOINTING K. MICHAEL
CAYWOOD TO THE BOARD
OF ASSESSMENT REVIEW -

The following resolution was presented by Adam Ellis, moved by Dan Youngman, seconded by Chris Loveless,

WHEREAS, the appointment of K. Michael Caywood to the Board of Assessment Review expires September 30, 2017; and

WHEREAS, the Town needs to fill said position;
and

WHEREAS, the Town and K. Michael Caywood have
both agreed to continue said appointment;

NOW, THEREFORE, BE IT RESOLVED, to re-appoint
K. Michael Caywood
to the Board of Assessment Review for a 5-year term
from October 1,
2017, thru September 30, 2022.

VOTE - AYES 4 NAYS 0.

4. Re-appoint Ronald Lancy to BOA -

RESOLUTION #43-17 RE-APPOINTING RONALD LANCY TO
THE BOARD OF APPEALS -

The following resolution was presented by Chris
Loveless, moved
by Adam Ellis, seconded by Dan Youngman,

WHEREAS, the appointment of Ronald Lancy to the
Board of Appeals expires September 30, 2017; and

SUPERVISOR - (cont'd)

RESOLUTION - (cont'd)

WHEREAS, the Town needs to fill said position;
and

WHEREAS, the Town and Ronald Lancy have both
agreed to continue
said appointment;

NOW, THEREFORE, BE IT RESOLVED, to re-appoint
Ronald Lancy to the
Board of Appeals for a 5-year term from October 1,
2017, thru Septem-
ber 30, 2022.

VOTE - AYES 4 NAYS 0.

5. Highway Negotiations - Lynn and Amber had a meeting with the Teamster's Union to open negotiations for the highway department.

6. 2018 Budget - the Town Clerk gave copies of the Tentative Budget to the board. It was determined to hold a budget workshop next Tuesday, Sept. 26th at 6:00 PM to work out the details.

PRIVILEGE OF THE FLOOR -

Lynn offered privilege of the floor. Lori Furguson asked if any one was welcome at the meeting on Friday. Lynn said he didn't see any problem with someone showing up. Zach Decker asked if the pro-posed budget was public knowledge and if the upcoming budget meeting was open to the public. He was told the workshop was open to the public.

The next regular meeting of the Wolcott Town Board will be held October 17, 2017, at 6:00 PM at the Town Hall.

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

Respectfully submitted,

Krul

Clerk

Dawn M.

Town

