

REGULAR MEETING - WOLCOTT TOWN BOARD - October 16, 2018

A regular meeting of the Wolcott Town Board was held Tues., Oct. 16, 2018, at 6:00 PM at the Town Hall with the following people pre-sent:

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.; Jack Whitaker, 6300 Wadsworth Rd., Wolcott; Ronald Lancy, 11972 Cottage Rd. #1, Wolcott; David & Suzanne Maslyn, 9510 Blind Sodus Bay Rd., Red Creek; Dave Doyle, MRB Group; Tom Stoughten-ger, Times of Wayne County.

Copies presented to the Town Board:

1. Minutes of September 18, 2018 (Regular Meeting)
2. Minutes of September 25, 2019 (Special Meeting)
3. General Fund Claims (Unaudited)
4. Highway Fund Claims (Unaudited)
5. Port Bay SD Fund Claims (Unaudited)
6. FEMA Embankment Repair Fund Claims (Unaudited)
7. CDBG Grant Fund Claim (Unaudited)

The Supervisor's, Town Clerk's, Justices, Code Enforcement Offi-cer'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 -

2019 TENTATIVE BUDGET -

The board previously discussed the 2019 Tentative Budget at a special meeting held September 25th. At that meeting both the high-way and the general budgets were gone over with changes and adjust-ments being made where necessary. Amber has plugged in the figures made available to her up to this point. The board determined to ac-cept the Tentative Budget as the Preliminary Budget for 2019.

RESOLUTION #45-18 APPROVING 2019 TENTATIVE BUDGET AS PRELIMINARY BUDGET -

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

WHEREAS, the 2019 Tentative Budget was submitted to the Town Board for its review; and

WHEREAS, the Town Board has reviewed it and made changes and/or adjustments where they deemed necessary;

NOW, THEREFORE, BE IT RESOLVED, to accept the 2019 Tentative Bud-get as the Preliminary Budget for 2019 and to set the Public Hearing on said Preliminary Budget for November 5, 2018, at 6:00 PM.

(The Town Clerk will place the ad for the public hearing in our legal paper.)

VOTE - AYES 5 NAYS 0 .

FEMA PROJECT - Dave Doyle

Lynn introduced Dave Doyle to update us on the FEMA project for the Blind Sodus Bay erosion issue. Dave referenced the two resolutions to put before the board tonight for this project and summarized their contents. He also addressed the required permits, their criteria for issuing said permits and the timeline we're looking at to complete the project. Dave then fielded any questions the board had for him. The board thanked him and he left the meeting at 6:20 PM.

RESOLUTION #46-18 - SEQOR REVIEW
TOWN OF WOLCOTT
EMERGENCY PROTECTIVE MEASURES
LAKE ONTARIO BANK STABILIZATION - BLIND SODUS BAY ROAD
FEMA PROJECT #34508

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

WHEREAS, the Town of Wolcott plans to construct Emergency Protective Measures (EPM's), generally consisting of a new rock revetment along approximately 260-feet of shoreline at the base of a bluff on Lake Ontario at the north end of Blind Sodus Bay Road; and

WHEREAS, the Federal Emergency Management Agency (FEMA) has approved funding for the EPM's under the following designations: Project #34508, Category B, Event 4348DR; and

WHEREAS, the Town Board has determined that the EPM's comprise emergency actions that are immediately necessary for shoreline protection to stabilize an existing road and utility infrastructure; and

RESOLUTION - (cont'd)

WHEREAS, the Town Board has determined that the EPM's are a Type II action under the State Environmental Quality Review (SEQR) Regulations, due to their emergency nature;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Wolcott hereby classifies the construction of the EPM's as a Type II action under Section 617.5(c) of the SEQR Regulations, requiring no further SEQR review.

VOTE - AYES 5 NAYS 0.

RESOLUTION #47-18 - NOTICE OF AWARD
TOWN OF WOLCOTT
EMERGENCY PROTECTIVE MEASURES
LAKE ONTARIO BANK STABILIZATION - BLIND SODUS BAY ROAD
FEMA PROJECT #34508

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

WHEREAS, the Town of Wolcott plans to construct Emergency Protective Measures (EPM's), generally consisting of a new rock revetment along approximately 260-feet of shoreline at the base of a bluff on Lake Ontario at the north end of Blind Sodus Bay Road; and

WHEREAS, the Federal Emergency Management Agency (FEMA) has approved funding for the EPM's under the following designations: Project #34508, Category B, Event 4348DR; and

WHEREAS, the Town Board received two bids for construction of the EPM's on October 4, 2018; and

WHEREAS, the low bidder is Martin's Custom Tidesides ("Martin's") 5500 Fisher Road, Newark, NY 14513, with a Total Bid of \$138,000.00;

and

WHEREAS, the low bid is within 3% of the Engineer's Opinion of Probable Construction Cost dated June 8, 2018, as prepared by MRB Group Engineering, Architecture & Surveying, D.P.C. ("MRB"); and

WHEREAS, based on MRB's review of Martin's bid and follow up discussion with Martin's, it appears that Martin's bid included all re-quired documentation and that Martin's is qualified to complete the project; and

WHEREAS, the New York State Department of Environmental Conservation ("NYSDEC") has determined that it must issue individual permits (the "Permits") prior to commencing construction of the EPM's for: Article 34 Coastal Erosion Management, Article 15 Excavation & Fill in Navigable Waters, and Section 401 Clean Water Act Water Quality Certification; and

WHEREAS, NYSDEC has indicated its intention to issue the Permits on or before the week of November 5, 2018;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Wolcott hereby awards the construction contract for construction of the EMP's to Martin's and authorizes the Town Supervisor to execute the Notice of Award and the formal Construction Agreement.

VOTE - AYES 5 NAYS 0.

GENERAL BUSINESS -

GENERAL CORRESPONDENCE -

1. Notice of Public Hearing on Oct. 22nd at 7:00 PM from the Town of Sterling regarding the adoption of a local law amending land use regulations.

2. Packet from the Association of Towns 2019 Annual Meeting and Training School to be held February 17-20, 2019, in New York City.

A motion was made by Adam Ellis, seconded by Zach Decker, to accept the minutes of September 18 and September 25, 2018, general correspondence and departmental reports.

VOTE - AYES 5 NAYS 0.

ABSTRACT OF CLAIMS -

GENERAL ACCOUNT - Claims #331 thru #361 - total - \$31,276.47

HIGHWAY ACCOUNT - DA Townwide & DB Outside - total - \$29,050.33

PORT BAY SD - Claims #36 thru #40 - total - \$363,771.90

FEMA ACCOUNT - Claims #2 thru #7 - total - \$27,029.38

CDBG ACCOUNT - Claim #1 - total - \$64.29

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

VOTE - AYES 5 NAYS 0.

ASSESSOR/SUPERVISOR'S CLERK - Amber Roberts

1. Amber informed the board that beginning January 1, 2019, there will be performance reviews required on the highway employees.

She had three samples to choose from. The board will need to decide which format they want to use. The board will be given copies to look over and decide at a future meeting which one to use. The Highway Superintendent will be responsible for conducting the reviews.

2. Amber stated that once again the state has changed the rules on some of our exemptions. Their office is busy pulling together all the new paperwork for STAR exemptions for senior citizens. They will be doing a mass mailing very soon to try and help them through this process. Amber is concerned some of our seniors citizens will fall between the cracks and explained her reasons for concern.

HIGHWAY - Scott Maybe

1. The highway department is readying their trucks for the up-coming winter season.
2. Scott said they are also doing some final mowing.
3. They have begun to haul sand as well for the winter months.
4. Lynn told Scott he has sent out some emails inquiring about possible funds to help with the purchase of equipment. This was in reference to the highway's need for an excavator.

CODE ENFORCEMENT OFFICER - Don Camp

SPECIAL PERMIT REQUEST - Emily Pott
53 Lynaugh Rd.

Victor, NY 14564
Property Location - 13201 Ridge Rd.
Wolcott, NY 14590
Tax Map #77117-00-333588

Code Enforcement Officer, Don Camp, presented Special Permit Re-quest #2-2018, which was brought before the Town Board August 21, 2018, at which time a negative impact was declared on the environment and signed by the Supervisor.

Request regarding Town of Wolcott Local Law #1-2000 Section 501-C which requires a special permit to place a commercial establishment in an agricultural district. Ms. Pott has requested to construct a pet-boarding facility and a small home at 13201 Ridge Road in Wolcott

The permit was brought before the Board of Appeals on September 10, 2018, and they voted unanimously to approve the permit. It also went before the County Planning Board and they wouldn't act on it either way as they didn't have specific building plans. Don stated we only have to note their recommendations as the final decision is the Town Board's. Discussion.

There being no further discussion, the following resolution was presented by Dan Youngman, moved by Zach Decker, seconded by Adam Ellis, "Be it RESOLVED that the Wolcott Town Board approve the request of Emily Pott and the recommendation of the local Board of Appeals to the Town Board."

VOTE - AYES 5 NAYS 0.

SPECIAL PERMIT REQUEST - Donald & Deborah Morgan
14497 West Bay Rd.
Sterling, NY 13156

Code Enforcement Officer, Don Camp, presented Special Permit Re-quest #3-2018, which was brought before the Town Board August 21, 2018, at which time a negative impact was declared on the environment and signed by the Supervisor.

CODE ENFORCEMENT OFFICER - (cont'd)

SPECIAL PERMIT REQUEST - (cont'd)

Request regarding Town of Wolcott Local Law #1-2000 Section 501-D which states single-family homes shall be placed on lots equal to or **greater** than one acre in size. The Morgan's have requested to build a small home on top of a garage on .48 acres at the corner of West Bay Road and King Road in the town of Wolcott.

The permit was brought before the Board of Appeals on September 10, 2018, and they voted unanimously to approve the permit. Again, the County Planning Board wouldn't act on it as they didn't have spe-cific building plans. Discussion. Don said notices were sent to neighboring property owners with no one responding.

There being no further discussion, the following resolution was presented by Zach Decker, moved by Dan Youngman, seconded by Adam Ellis, "Be it RESOLVED that the Wolcott Town Board approve the request of Donald & Deborah Morgan and the recommendation of the local Board of Appeals to the Town Board."

VOTE - AYES 5 NAYS 0.

TOWN CLERK - Dawn Krul

1. The Town Clerk's Office is already preparing for the upcoming 2019 tax season.

2. The Town Clerk told the board the town offices will be closed on November 6th for Election Day and November 12th for Veteran's Day.

SUPERVISOR - Lynn Chatfield

OLD BUSINESS -

1. Land Use Code - still on hold until Don is not so busy.

2. Security System - Jack Whitaker is working on getting this system up and running.

3. Blind Sodus Bay Water District - still on backburner until MRB Group can make time for it.

4. Brown/Wadsworth Road Water District - this district is being surveyed right now.

5. Port Bay Sewer District - still under construction but moving along.

6. Blind Sodus Bay Road CDBG - Dave Doyle touched on it earlier.

7. Sexual Harrassment Policy/Training - Amber has handed out the policy and everyone had to sign stating they had received it. The next step is to attend a training session and this training will need to be done annually. Discussion. Lynn will contact Bob Day to see what training sessions he might be able to cover.

SUPERVISOR - (cont'd)

NEW BUSINESS -

1. Website Update - Councilwoman Furguson will contact the group who is going to do the website for the Port Bay Improvement Association about possibly coming to a meeting and giving a presentation to our board.

Privilege of the Floor -

Lynn offered privilege of the floor with no one responding.

EXECUTIVE SESSION -

A motion was made by Lori Furguson, seconded by Zach Decker, to move into executive session at 6:51 PM to discuss the financial history of particular personnel. (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 7:36 PM.

VOTE - AYES 5 NAYS 0.

The next regular meeting of the Wolcott Town Board will be held November 20, 2018, at 6:00 PM at the Town Hall.

A motion was made by Zach Decker, seconded by Dan Youngman, to adjourn the meeting at 7:38 PM.

submitted,

Respectfully

Dawn M. Krul
Town Clerk

