

REGULAR MEETING & PUBLIC HEARINGS
WOLCOTT TOWN BOARD – OCTOBER 18, 2022

A regular meeting and public hearings of the Wolcott Town Board was held Tuesday, October 18, 2022, at 6:00 PM at the Town Hall with the following people present:

PRESENT - Supervisor - Lynn Chatfield
Councilman - Adam Ellis, Jr. (ABSENT)
Councilman - Daniel Youngman
Councilman – Ray Hauss
Councilman – Jordan Brown

OTHERS PRESENT - Jessica Freer, Town Clerk; Amber Roberts, Assessor/Supervisor's Clerk; Zach Decker, Highway Superintendent; Don Camp, Code Enforcement Officer, Kenneth Natale, Wolcott; Roger & Lynn Pritchard, Wolcott; Rebecca & Harry Hilbert, Wolcott; Ron Lancy, Wolcott; Mark & Liliya Podlesh, Wolcott; Chris Bauer, Deputy Highway Superintendent; Jack Whitaker, Wolcott; Heidi Martin, Wolcott; Kara Chapin, Town Historian; Mary Anne McConkey, Court Clerk; Karli Starczewski, Assessor's Clerk.

Copies presented to the Town Board:

1. Minutes of September 20, 2022 (Regular Meeting)
2. Minutes of September 26, 2022 (Special Meeting)
3. General Fund Claims (Unaudited)
4. Highway Fund Claims (Unaudited)
5. Port Bay SD Claim (Unaudited)

The Supervisor's, Town Clerk's, Justices, Code Enforcement Officer, and Highway Superintendent's reports were presented to the Town Board.

Supervisor Chatfield called the meeting to order at 6:01 PM.

Pledge of Allegiance –

GENERAL BUSINESS –

OPEN PUBLIC HEARING - Local Law #3-2022

Supervisor Chatfield declared the Public Hearing open at 6:02 PM and asked the Town Clerk to read the notice of Public Hearing on Local Law #3-2022 and to show proof of publication.

Supervisor Chatfield asked for comments or questions from the floor. Mr. Podlesh asked how much the levy was increasing by Amber said around \$109,000.00, Mr. Podlesh then clarified that this is just for the Town taxes not County, Amber again said that is correct. Amber went on to add that the levy is what is needed to run the Town which include salaries, gas for the trucks, bills, etcetera.

GENERAL BUSINESS – (cont'd)

CLOSE PUBLIC HEARING -

A motion was made by Jorden Brown, seconded by Dan Youngman to close the Public Hearing at 6:05 PM. VOTE - AYES 4 NAYS 0.

RESOLUTION #39-22 LOCAL LAW #3-2022 TO OVERRIDE THE TAX LEVY -

The following resolution was presented by Dan Youngman, moved by Jorden Brown, seconded by Ray Hauss,

WHEREAS, Proposed Local Law #3-2022 of the Town of Wolcott would override the tax levy limit established in General Municipal Law 3-c; and

WHEREAS, the Town Clerk caused a copy of a Notice of Public Hearing on Proposed Local Law #3-2022 to be published in the Lakeshore News on October 5, 2022, on the signboard of the Town maintained pursuant to Town Law Section 30(6) on October 4, 2022, and on the Town of Wolcott website on October 5, 2022; and

WHEREAS, the Local Law overriding the tax levy cap is occurring because of the current economy and inflation; and

WHEREAS, adoption of Proposed Local Law #3-2022 would be routine or continuing agency administration and management, and related local legislative decision-making, and therefore is a Type II action under the State Environmental Quality Review Act, pursuant to 6 N.Y.C.R.R. Section 617.5(c)20,27); and

WHEREAS, a public hearing was duly held on that Proposed Local Law on October 18, 2022, at 6:00 PM before the Town Board at the Wolcott Town Hall, and all persons desiring to speak were heard;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the Municipal Home Rule Law, proposed Local Law #3-2022 is hereby enacted, and shall be filed with the Secretary of State.

ON ROLL CALL VOTE - Chatfield "YES", Youngman "YES",

Hauss "YES", Brown "YES". Councilman Ellis was absent.

OPEN PUBLIC HEARING - 2023 Preliminary Budget

Supervisor Chatfield declared the Public Hearing open at 6:06 PM and asked the Town Clerk to read the notice of Public Hearing on the 2023 Preliminary Budget and to show proof of publication.

Supervisor Chatfield asked for comments or questions from the floor. Mary Anne McConkey addressed the Board again about her pay increase, she brought up that is required to do training hours, certifications, and clearances every year just to continue her position as Court Clerk, she wrote up and gave each councilmen a description of what the entirety of her position of court clerk entails, she invited any member to come speak to her or to attend court one night. Lynn asked if she was still seeking her original increase amount; Mary Anne said yes, she was but was willing to negotiate. She broke down what her increase would be each week and felt due to her years of experience she should be entitled to more. Lynn stated that they would look into this.

CLOSE PUBLIC HEARING -

A motion was made by Jorden Brown, seconded by Dan Youngman to close the Public Hearing at 6:11 PM. VOTE - AYES 4 NAYS 0.

GENERAL BUSINESS – (cont'd)

Executive Session -

A motion was made by Dan Youngman, seconded by Jorden Brown to move into executive session at 6:13 PM to discuss matters relating to potential litigation (The Board spoke in the adjacent courtroom Jessica and Amber attended the session).

VOTE - AYES 4 NAYS 0.

Close Executive Session -

A motion was made by Jorden Brown, seconded by Dan Youngman to close executive session at 6:22 PM. VOTE - AYES 4 NAYS 0.

GENERAL CORRESPONDENCE –

1. Letter of resignation from Don Camp from the position of Code Enforcement Officer effective December 31, 2022.

A motion was made by Ray Hauss, seconded by Jorden Brown, to accept the minutes of September 20, 2022, September 26, 2022, general correspondence, and departmental reports.

VOTE - AYES 4 NAYS 0.

ABSTRACT OF CLAIMS -

GENERAL ACCOUNT - Claims #295 thru #327 - total - \$45,239.34

HIGHWAY ACCOUNT - DA Town wide & DB Outside - total - \$53,695.95

PBSD ACCOUNT – Claim #2 - total - \$347,302.06

A resolution was presented by Dan Youngman, moved by Jorden Brown, seconded by Ray Hauss “Be it RESOLVED to pay General, Highway and Port Bay SD account claims as presented.”

VOTE - AYES 4 NAYS 0.

ASSESSOR/SUPERVISOR'S CLERK - Amber Roberts

RESOLUTION #40-22 TO AUTHORIZE BUDGET TRANSFER –

The following resolution was presented by Dan Youngman, moved by Jorden Brown, seconded by Ray Hauss,

ASSESSOR/SUPERVISOR'S CLERK – (cont'd)

RESOLUTION – (cont'd)

WHEREAS, the New York State Comptroller's Office made a recommendation during their audit process with the Town stating to do transfers for budget line items as they happen if they are over budget during the year; and

WHEREAS, bills came in larger than expected for our annual audit and town board funds,

NOW, THEREFORE, BE IT RESOLVED, to allow the Supervisor's Clerk to make the following transfers to the line items in the 2022 Budget:

From Contingent – A1990.4 to Independent Accounting – A1320.4 in the amount of \$805.00

From Contingent – A1990.4 to Town Board – A1010.4 in the amount of \$365.57

VOTE - AYES 4 NAYS 0.

HIGHWAY – Zach Decker

1. Zach said he would like to purchase a v-plow and a dump box for the 1-ton truck, he obtained quotes of \$7,900.00 for the plow and \$8,900.00 for the dump box. He's looking to purchase the v-plow this year and the dump box next year.

3. Bob Huntington is out of work until December and Mike Mullholland is retiring at the end of the year. Zach is going to put an ad in the paper soon to start searching for suitable replacements.

4. The Town still needs a salt barn.

5. Zach listed the screener stacker that he spoke about in the summer.

CODE ENFORCEMENT OFFICER - Don Camp

1. Don brought up a property on Martin Road where the property owner Heidi Martin would like to convert her shed into a dwelling, Don said it came before the Board of Appeals and they had comments on it. Lynn asked if the Zoning Board tabled the permit, Don said they adjourned their meeting until further questions were answered. Lynn said we will have to speak to the attorney for clarifications before we can move forward, Heidi said she had questions about the whole ordeal and didn't know where to direct them; Lynn said the next Zoning Board meeting.

2. Don has special permits

Special Permit Request - Mark Natale

8401 Thrush Road
Wolcott, NY 14590
75120-14-399307

Code Enforcement Officer, Don Camp, presented Special Permit Request #6-2022, which was brought before the Town Board September 20, 2022, 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 502-C, states special permits are required to expand pre-existing structures on less than one acre of land in waterfront area. Mark would like to build a 12-foot deck on the bayside of his cottage.

Don gave the information to our Board of Appeals, they voted unanimously to approve it on October 10, 2022.

RESOLUTION #41-22 MARK NATALE SPECIAL PERMIT #6 –

The following resolution was presented by Dan Youngman, moved by Jorden Brown, seconded by Ray Hauss

BE IT RESOLVED, that the Wolcott Town Board approve the request of Mark Natale and the recommendation of the local Board of Appeals to the Town Board.

VOTE - AYES 4 NAYS 0 .

Special Permit Request - Ryan Yarrow

8018 North Maple Road
Wolcott, NY 14590
75119-07-528823

Code Enforcement Officer, Don Camp, presented Special Permit Request # 7-2022, which was brought before the Town Board September 20, 2022, 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 502-C, states special permits are required to expand pre-existing structures on less than one acre of land in waterfront area. Ryan would like to build a 22x22 addition onto his cottage.

Don gave the information to our Board of Appeals, they voted unanimously to approve it on October 10, 2022.

RESOLUTION #42-22 RYAN YARROW SPECIAL PERMIT #7–

The following resolution was presented by Dan Youngman, moved by Jorden Brown, seconded by Ray Hauss,

BE IT RESOLVED, that the Wolcott Town Board approve the request of Ryan Yarrow and the recommendation of the local Board of Appeals to the Town Board.

VOTE - AYES 4 NAYS 0 .

RESOLUTION #43- 22 AUTHORIZING THE SUPERVISOR TO SIGN NEGATIVE DECLARATION FOR A SHORT ENVIRONMENTAL QUALITY REVIEW (SEQR) FORM FOR TODD GALLOWAY -

The following resolution was presented by Dan Youngman, moved by Ray Hauss, seconded by Jorden Brown,

CODE ENFORCEMENT OFFICER – (cont'd)

RESOLUTION – (cont'd)

WHEREAS, Todd would like to, demolish his existing cottage and rebuild with the addition of a 12 foot deck on the bayside and an addition on the road side, Wolcott; and

WHEREAS, our Local Law #1-2000, Section 502-C, states special permits are required to expand pre-existing structures on less than one acre of land in 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, upon review, 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 4.

TOWN CLERK - Jessica Freer

1. Jessica said the FCFS doe permits go on sale beginning November 1st.
2. She is preparing for the upcoming tax collection season.

SUPERVISOR - Lynn Chatfield

OLD BUSINESS -

1. Building Maintenance – Lynn said he is aware of the problems with the lines but is having difficulty finding someone to replace them without changing the entire system.

- Phone lines

2. Blind Sodus Bay Water District – Lynn said it is still at the comptroller's office but, when it does get approved it will probably have to be returned to them due to the significate increase materials that the project will require; the figures will have to be revised in the application. Lynn said he cannot look for any grant funding until the application is approved by the comptroller.

3. Blind Sodus Bay Bluff - Lynn had pictures of the process done by Brandon Martin, he said the project is ahead of schedule now but is running into some challenges with the soil and bedrock, he will update everyone next month.

4. Salt Barn – Still looking for funding for the project.

5. Cemetery Monument Update – No new updates, Lynn is going to contact the someone else to finish the foundations.

6. Blind Sodus Bay Barrier Bar – Lynn provided and update saying the idea is to break the project into 3 parts with the first part going out to bid in November, but it is moving forward.

Privilege of the Floor –

1. Kara Chapin attended the meeting to inform the Board of the idea and/or intent to have a Wolcott festival in June for the Wayne County Bicentennial, she said this might be a combined event with the old Wolcott Towns: Wolcott, Huron, Butler, and Rose. Kara said there is a meeting to discuss this on November 10, 2022, at 6:30PM if anyone would like to participate. The Board thanked her for telling them.

The Board returned to the topic of the Highway Department.

HIGHWAY - Zach wanted to inform the Board that the Tellier Road situation will cost more than \$250,000.00. He said an in-kind replacement is not an option, he asked the Board for their option and/or suggestions about the problem. Lynn said he is working on funding. Amber asked what DEC would allow for a temporary fix, Zach said nothing. Lynn said there might be a grant for this type of project, but it is competitive and not much is known. Zach's main problem is time, the grants take at least 6 months for approval, then out to bid, etcetera, winter will be here soon, and he would like a direction to move in. The Board agreed that for now it will be blocked from access as it has been.

The board returned to Privilege of the Floor.

Privilege of the Floor –

2. Liliya Podlesh asked if there were any new developments since the prior meeting about the turnaround on Ingersoll Drive, Lynn stated our Attorney had not commented on the situation and Lynn will speak to him again.

3. Don asked about annual inspections, he stated that Otis Vezzose helped him last year and would like to ask him again this year, the Board was fine with this.

4. Heidi Martin said she received a copy of the minutes from the most recent zoning board meeting and believes that they are incorrect and misrepresent what happened at the meeting, Heidi also said she believes that the secretary of the zoning board has a conflict of interest because she is a neighbor and made complaint to the Code Enforcement Officer therefore is inserting her opinion into the minutes. Lynn said he would like to speak to Heidi regarding this after the meeting has concluded.

The next regular meeting of the Wolcott Town Board will be held November 15, 2022, at 6:00 PM at the Town Hall.

A motion was made by Dan Youngman, seconded by Jordan Brown, to adjourn the meeting at 6:52 PM.

Respectfully submitted,

Jessica Freer
Town Clerk