

REGULAR & SPECIAL MEETING (PUBLIC HEARING)
WOLCOTT TOWN BOARD - NOVEMBER 21, 2017

A regular & special meeting (Public Hearing) of the Wolcott Town Board was held Tues., Nov. 21, 2017, at 6:00 PM at the Town Hall with the following people present:

PRESENT - Supervisor - Lynn Chatfield
 Councilman - Adam Ellis, Jr.
 Councilman - Russell Freer, Jr.
(Arrived at 6:15 PM)
 Councilman - Christopher Loveless
(ABSENT)
 Councilman - Daniel Youngman

OTHERS PRESENT - Dawn Krul, Town Clerk; Amber Roberts, Assessor/ Supervisor's Clerk; Don Camp, Code Enforcement Officer; Scott Maybe, Highway Supt.; Lori Furguson, Councilwoman Elect, 7870 North Maple Rd Wolcott; Ronald Lancy, 11972 Cottage Rd.#1, Wolcott; Jack Whitaker, 6300 Wadsworth Rd., Wolcott.

Copies presented to the Town Board:

1. Minutes of October 17, 2017 (Regular Meeting)
2. General Fund Claims (Unaudited)
3. Highway Fund Claims (Unaudited)
4. West Port Bay WD Claim (Unaudited)
5. Waters/Red Creek RD WD Claim (Unaudited)
6. Port Bay WD Claim (Unaudited)
7. Blind Sodus Bay SD Claims (Unaudited)
8. 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 presented to the Town Board.

Supervisor Chatfield called the meeting to order at 6:00 PM.

Pledge of Allegiance -

OPEN PUBLIC HEARING - Local Law #1-2017

Supervisor Chatfield declared the Public Hearing open at 6:01 PM and asked the Town Clerk to read the notice of Public Hearing on Local Law #1-2017 and to show proof of publication.

Supervisor Chatfield asked for comments or questions from the floor. Lori Furguson said she assumed it was due to sewer bills that are due. Lynn said "yes".

CLOSE PUBLIC HEARING -

There being no further comments or questions from the floor, a motion was made by Adam Ellis, seconded by Dan Youngman to close the Public Hearing at 6:02 PM. VOTE - AYES 3 NAYS 0.

RESOLUTION #50-17 LOCAL LAW #1-2017 TO OVERRIDE THE TAX LEVY -

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

WHEREAS, Proposed Local Law #1-2017 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 #1-2017 to be published in the Lake-shore News on November 15, 2017, on the signboard of the Town main-tained pursuant to Town Law Section 30(6) on October 20, 2017, and on the Town of Wolcott website on October 20, 2017; and

WHEREAS, the Local Law overriding the tax levy cap is occurring because of new water and sewer districts; and

WHEREAS, adoption of Proposed Local Law #1-2017 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 November 21, 2017, 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 #1-2017 is hereby enacted, and shall be filed with the Secretary of State.

ON ROLL CALL VOTE - Chatfield "YES", Ellis "YES", Freer "ABSENT", Loveless "ABSENT", Youngman "YES".

GENERAL BUSINESS -

GENERAL CORRESPONDENCE -

1. Packet from Association of Towns containing information for schooling for newly elected officials to be held in

Albany, Jan.
10th-12th, 2018, and in Rochester, Jan. 17th-19th,
2018, and their
2018 Training School and Annual Meeting to be held
Feb. 18-21, 2018,
in New York City.

2. Letters from Dept. of Ag & Markets with
regard to Municipal Shelter Inspection Reports.
Huron's Shelter inspection was completed on Oct.
23, 2017, and the Humane Society's Shelter
inspection was completed on Nov. 1, 2017.

GENERAL BUSINESS - (cont'd)

A motion was made by Adam Ellis, seconded by
Dan Youngman, to accept the minutes of Oct. 17,
2017, general correspondence and departmental
reports.

VOTE - AYES 3 NAYS 0.

ABSTRACT OF CLAIMS -

GENERAL ACCOUNT - Claims #340 thru #377 - total
- \$39,760.87

HIGHWAY ACCOUNT - DA Townwide & DB Outside -
total - \$47,639.39

WEST PORT BAY WD - Claim #2 - total - \$1,669.00

WATERS/RED CREEK RD WD - Claim #2 - total -
\$18,468.75

PORT BAY WD - Claim #2 - total - \$42,067.50

BLIND SODUS BAY SD - Claims #21 thru #22 -
total - \$45,110.00

PORT BAY SD - Claims #30 thru #32 - total -
\$12,950.07

A resolution was presented by Adam Ellis, moved by Dan Youngman, seconded by Lynn Chatfield "Be it RESOLVED to pay General and Highway claims, West Port Bay, Waters/Red Creek RD and Port Bay Water Dis-
trict claims and Blind Sodus Bay and Port Bay Sewer District claims as presented."

VOTE - AYES 3 NAYS 0 .

ASSESSOR/SUPERVISOR'S CLERK - Amber Roberts

1. Amber said Amanda has been busy putting things together to mail out for the renewals for the enhanced star applications. They will have people in and out of the office until March 1st.

2. Amber is still working with the IDA on the solar project.

3. Amber commented on the recent inspection done for our insurance company and the followup needed for compliance. Don noted at this time the elevator still won't pass inspection due to the condition of the floor at the point of entry in the basement and on the 3rd floor.

HIGHWAY - Scott Maybe

1. Scott mentioned some hoses blew on the brand new truck but were quickly fixed and back on the road again.

CODE ENFORCEMENT OFFICER - Don Camp

1. Don informed the board that Ellen Moyer, who owns the mobile home park just north of the Village of Red Creek, had, without his knowledge or approval, moved a 1990 single-wide mobile home in to the park. Don issued a stop-work order until she gets approval for a special permit. So to begin the proper procedure, Don had an environmental form needing to be signed by the Supervisor.

RESOLUTION #51-17 AUTHORIZING THE SUPERVISOR TO SIGN NEGATIVE DECLARATION FOR A SHORT ENVIRONMENTAL QUALITY REVIEW (SEQR) FORM FOR ELLEN MOYER -

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

WHEREAS, Ellen Moyer has requested to place a 1990 single-wide mobile home on her property located at 7138 Route 104A in the Town of Wolcott; and

WHEREAS, our Local Law #1-2000, Section 601-C, requires a special permit to place a mobile home that is more than 10 years old within the Town of Wolcott; 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 .

2. Don brought before the board the subject of the fee schedule for issuing permits for the town. Discussion. These fees will be assessed along with the land use code in the coming year.

3. Don stated that 5 new houses are being built within the town.

TOWN CLERK - Dawn Krul

1. The Town Clerk mentioned the offices would be closed Thursday and Friday for the Thanksgiving holiday.

2. The Town Clerk again mentioned getting ready for the upcoming tax collection period.

SUPERVISOR - Lynn Chatfield

OLD BUSINESS -

1. Assessor's/Town Clerk's records room - Lynn spoke with the County's Deputy Highway Superintendent regarding shelving. He is going to email Lynn information about a company that just did work at the sheriff's office.

SUPERVISOR - (cont'd)

2. Land Use Code - Lynn is going to get back what our attorney has gotten done and/or suggested and then have everyone needing to be involved sit down and go over the details.

3. Security System - Mark Sauer went over the format of the system last week with several of the employees. Finger Lakes Security Systems will be coming soon to wire it for monitoring by an outside source.

4. Blind Sodus Bay Sewer District -

RESOLUTION #52-17 AUTHORIZING RURAL DEVELOPMENT
TO DE-OBLIGATE
THE REMAINDER OF THE RD GRANT FUNDS APPROVED FOR
THE BLIND SODUS BAY
SANITARY SEWER PROJECT -

The following resolution was presented by Adan Ellis, moved by Dan Youngman, seconded by Russ Freer,

WHEREAS, the Town of Wolcott has completed the construction of the sewer improvements for the Blind Sodus Bay Sewer Project; and

WHEREAS, the Town Board has received and paid all bills and in-voices related to the project;

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Wolcott hereby confirms that Budget Report #18 that was submitted to Rural Development in June 2017 is the final report for the Blind Sodus Bay Sanitary Sewer Project; and

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes Rural Development to de-obligate the remainder of the RD grant funds approved for the project. VOTE - AYES 4 NAYS 0.

5. Port Bay Sewer District -

RESOLUTION #53-17 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 Adam Ellis, moved by Dan Youngman, seconded by Russ Freer,

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

WHEREAS, it has become necessary to amend the previously amended services agreement of "\$175.00 per hour - not to exceed \$40,000.00" to read "\$175.00 per hour - not to exceed \$25,000.00; 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 new amended agreement with Town Attorney, Art Williams, for "\$175.00 per hour - not to exceed \$25,000.00" for the Port Bay Sewer District. VOTE - AYES 4 NAYS 0.

SUPERVISOR - (cont'd)

RESOLUTION #54-17

TOWN OF WOLCOTT ORDER FOR PUBLIC HEARING
ON DECEMBER 19, 2017 AT 6PM AT THE WOLCOTT TOWN
HALL
ON INCREASING THE MAXIMUM AMOUNT TO BE EXPENDED ON
THE PORT BAY SEWER DISTRICT PURSUANT
TO ARTICLE 12-A OF THE TOWN LAW

The following resolution was presented by Adam Ellis, moved by Dan Youngman, seconded by Russ Freer,

STATE OF NEW YORK
TOWN OF WOLCOTT
COUNTY OF WAYNE

In the Matter of increasing the maximum amount to be expended for the Port Bay Sewer District

Pursuant to Article 12-A of the Town Law of the
ORDER
State of New York

WHEREAS, there has been prepared and 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 sanitary sewer system improvements in, and to service 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; and

WHEREAS, the Map, Plan and Report details the sewer line and other facilities of the sewer system proposed to be constructed, including connection points in the Towns of Wolcott and Huron, through which the proposed Port Bay Sewer District ("District") will connect to the Red Creek Area Wastewater Treatment Facility ("Red Creek Plant") owned by the Wayne County Water and Sewer Authority ("Authority"), and includes a map showing the boundaries of the proposed District and sewer system; and

WHEREAS, the District is proposed to include improvements as set forth in the Map, Plan and Report, including (a) a low pressure conveyance system, consisting of an individual grinder pump at each home and a lateral connecting each grinder pump to a small-diameter, low-pressure force main located in the road right-of-way or easement; and (b) transmission system improvements, including the upsizing of the Village of Wolcott ("Village") force main from 8-inch to 10-inch diameter, as well as upgrading of other components of the Village's transmission system; and

RESOLUTION - (cont'd)

WHEREAS, a copy of the boundaries of the proposed water district is on file at the Town Hall and is available for inspection during regular business hours; and

WHEREAS, the maximum amount originally proposed to be expended for the sewer system improvements is \$10,500,000.00 dollars; and

WHEREAS, for homeowners who hook up to the sewer system immediately, the estimated one-time charge for hook-up is approximately \$1,500 to \$3,000 per connection, which includes costs associated with the incorporation of the grinder pump into existing plumbing and interior electric, and costs for pumping out and abandoning existing septic tanks. For these homeowners, there will be no charge for the installation of the grinder pump. For homeowners that connect at a later time, estimated one-time charge for hook-up is approximately \$2,500 to \$4,000 per connection, which includes the costs described above, as well as the cost of installation of the grinder pump; and

WHEREAS, the proposed method of financing is through a loan from the New York State Environmental Facilities Corporation - Clean Water State Revolving Fund in the amount of \$10,500,000.00, said loan to be repaid in annual installments amortized over not more than 30 years with an interest rate projected at zero (0) percent; and

WHEREAS, the cost of construction of the sewer system would be assessed by the Town Board, in proportion as nearly as may be calculated, to the benefit which each lot or parcel would derive from the sewer system. The Town Board and the Authority may also impose other appropriate charges, fees, and assessments as allowed by law, including sewer rents and connection fees; and

WHEREAS, the estimated annual cost of the District to the typical property or one-family home is \$895 (including \$565 debt service, \$250 sewer use charges, \$30 estimated electrical charge for grinder pump, and \$50 for capital fund for grinder pump replacement), as detailed in the Map, Plan and Report, not including the costs to hook up described above. The estimated annual cost of the District to a two-family home would range from \$1,457.50 to 1,507.50 (including \$847.50 debt service, \$500 sewer use charges, \$60 estimated electrical charge for grinder pumps, and \$50 - \$100 for capital fund for grinder pump replacement, depending upon the number of pumps employed), as detailed in the Map, Plan and Report, not including the costs to hook up described above. The Map, Plan and Report contains a detailed explanation of how the estimated hook-up fees and the cost of the District to a typical property were computed; and

WHEREAS, the estimated construction cost in the Map, Plan and Report for the improvements included in Construction Contract No. 1 was \$7,240,000.00 and the lowest responsible bid on Construction Contract No. 1 was in the amount of \$9,040,475.00 which is \$1,800,475.00 over the estimate in the Map, Plan and Report for Construction Contract No. 1; and

RESOLUTION - (cont'd)

WHEREAS, based on the lowest responsible bid on Construction Contract No. 1, when considered together with the anticipated other related construction and non-construction costs associated with the District, it is anticipated that the previously approved amount to be expended will be exceeded; and

WHEREAS, after submission of the Map, Plan and Report and after creation of said Port Bay Sewer District, the Town of Wolcott was awarded a grant

from the New York State Environmental Facilities Corporation in the amount of \$2,625,000.00 which monies are to be applied to the cost of constructing the sewer district; and

WHEREAS, the anticipated maximum amount to be expended for the construction of the Port Bay Sewer District is \$13,125,000.00; and

WHEREAS, the grant money received by the Town is sufficient to cover the increased cost of construction without requiring the borrowing of additional funds and without increasing the user cost as originally set out in the map, plan and report and as heretofore approved by the Town; and

WHEREAS, Town Law section 209-h requires the Town to schedule a public hearing regarding the proposed increase to the maximum amount to be expended for the construction of the sewer district.

NOW, THEREFORE, BE IT ORDERED, that the Town Board of the Town of Wolcott shall meet at the Wolcott Town Hall, 6070 Lake Avenue, Wolcott New York on the 19th day of December, 2017 at 6:00 p.m., for the purpose of conducting a public hearing on the proposed increase to the maximum amount to be expended for the construction said District with the improvements specified above, at which time and place all persons interested in the subject thereof may be heard concerning the same, and it is further

ORDERED, that the Town Clerk of the Town of Wolcott be, and she hereby is authorized and directed to publish and post a copy of this order in the time and manner required by law.

VOTE - AYES 4 NAYS 0.

Date: November 21, 2017

By Order of the
Town Board
of the Town of

Wolcott
Dawn M. Krul,
Town Clerk

6. Brown/Wadsworth Road Water District - still moving forward but put on back burner due to Port Bay Sewer Project complications.

7. Blind Sodus Bay Water District - same issue with this poten-tial district.

NEW BUSINESS -

1. Humane Society Contract -

RESOLUTION #55-17 AUTHORIZING THE SUPERVISOR TO SIGN A TWO-YEAR CONTRACT WITH WAYNE COUNTY HUMANE SOCIETY -

The following resolution was presented by Adam Ellis, moved by Dan Youngman, seconded by Russ Freer,

WHEREAS, the Animal Control Officer requires the services of the Wayne County Humane Society; and

WHEREAS, the Town has previously contracted with the Wayne County Humane Society for this service; and

WHEREAS, the Wayne County Humane Society still desires to con-tract with the Town for this service;

NOW, THEREFORE, BE IT RESOLVED, to authorize the Supervisor to sign a two-year contract with the Wayne County Humane Society for the period of January 1, 2018, thru December 31, 2019.

VOTE - AYES 4 NAYS 0.

2. Snow & Ice Contract -

RESOLUTION #56-17 AUTHORIZING THE SUPERVISOR TO
SIGN SNOW AND ICE
CONTRACT WITH WAYNE COUNTY -

The following resolution was presented by Dan Youngman, moved by Adam Ellis, seconded by Russ Freer,

WHEREAS, the County of Wayne and the Town of Wolcott have agreed to a snow and ice control contract in years past; and

WHEREAS, both parties agree this is most advantageous for the taxpayer; and

WHEREAS, the Town Board agrees to the terms of said contract;

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes the Supervisor to sign the Snow and Ice Contract with Wayne County for the term of January 1, 2018, to December 31, 2018.

VOTE - AYES 4 NAYS 0.

SUPERVISOR - (cont'd)

3. Eades Road Bridge -

RESOLUTION #57-17 AUTHORIZING SUPERVISOR TO
ENTER INTO AMENDED AGREEMENT WITH THE NEW YORK
STATE DEPARTMENT OF TRANSPORTATION FOR
THE FUNDING OF THE EADES ROAD BRIDGE OVER THE RED
CREEK REHABILITA-
TION PROJECT -

The following resolution was presented by Dan Youngman, moved by Adam Ellis, seconded by Russ Freer,

WHEREAS, the Town of Wolcott will be responsible for the construction of the project; and

WHEREAS, a Project for the replacement of a bridge on Eades Road, Town of Wolcott, Wayne County (PIN 4760.64) is eligible for funding under Title 23 US Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds, 15% State Funds and 5% Local Funds; and

WHEREAS, the Town of Wolcott desires to advance the Project by making a commitment of 100% of the non-federal share of this project;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Wolcott hereby approves the above subject project; and be it

FURTHER RESOLVED, that the Town Board of the Town of Wolcott hereby agrees to pay in the first instance 100% of the federal and non-federal share of the cost of the entire project, and be it

FURTHER RESOLVED, that the sum of \$276,000.00 is hereby appropriated and made available to cover the cost of the above project and that the Supervisor is hereby authorized to create an Eades

Road

Bridge Project account, and be it

FURTHER RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Town Board of the Town of Wolcott shall convene as soon as possible to appropriate said excess amount, and be it

FURTHER RESOLVED, that the Supervisor of the Town of Wolcott is authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or State Aid on behalf of the County of Wayne with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the County's first instance funding of the project costs and permanent funding of the local share of federal aid and state aid eligible Project costs

and all project costs within appropriations therefore that are not so eligible, and be it

FURTHER RESOLVED, that a certified copy of this resolution be

filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately.

VOTE - AYES 4 NAYS 0.

PRIVILEGE OF THE FLOOR -

Lynn offered privilege of the floor. Lori Furguson asked what is needing to be done to keep the Port Bay Sewer Project moving forward.

Lynn stated there needs to be some verbage changes as the total cost of the project has increased even though the amount borrowed will

stay the same. Lori also asked to be approved to attend the upcoming training in January for newly elected officials.

RESOLUTION #58-17 AUTHORIZING LORI FURGUSON, COUNCILWOMAN ELECT, TO ATTEND TRAINING IN ROCHESTER IN JANUARY 2018 -

The following resolution was presented by Adam Ellis, moved by Dan Youngman, seconded by Russ Freer,

WHEREAS, Lori Furguson successfully ran for Town Council in the November election; and

WHEREAS, she desires to attend the training offered by the Association of Towns for newly elected officials to be held in Rochester, January 17-19, 2018; and

WHEREAS, Lori would like the Town Board to approve her attendance and cover costs associated with the training; and

WHEREAS, the Town Board has agreed to approve her request;

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes Lori Furguson to attend the upcoming training for newly elected officials to be held in Rochester January 17-19, 2018, and to cover costs for said training.

VOTE - AYES 4 NAYS 0.

Also, Ronald Lancy asked the amount that would be on his tax bill come January for the Port Bay Sewer Project. Amber told him we were only making a partial payment on the debt service in 2018 for this district so the cost would be lower. She said \$217.71 would be the amount on his tax bill for the debt service.

Lynn announced that on December 14th at noon there will be a Christmas Luncheon at the Fire Hall

for all employees.

EXECUTIVE SESSION -

A motion was made by Adam Ellis, seconded by Dan Youngman, to move into executive session at 6:31 PM to discuss proposed, pending or current litigation.

VOTE - AYES 4 NAYS 0.

CLOSE EXECUTIVE SESSION -

A motion was made by Adam Ellis, seconded by Russ Freer, to close executive session at 6:53 PM.

VOTE - AYES 4 NAYS 0.

The next regular meeting of the Wolcott Town Board will be held December 19, 2017, at 6:00 PM at the Town Hall.

A motion was made by Adam Ellis, seconded by Dan Youngman, to ad-journ the meeting at 6:54 PM.

Respectfully submitted,

Krul

Clerk

Dawn M.

Town

