

REGULAR MEETING & SPECIAL MEETING (PUBLIC HEARING)  
WOLCOTT TOWN BOARD - AUGUST 18, 2009

A regular meeting and special meeting (Public Hearing) of the Wolcott Town Board was held Tues., Aug. 18, 2009, at the Wolcott Town Hall with the following people present:

PRESENT - Supervisor - Kim Park  
Councilman - Dallas Youngman  
Councilman - Jeffrey Keller  
Councilman - Scott Gregg  
Councilman - Adam Ellis, Jr.

OTHERS PRESENT - Dawn Krul, Town Clerk; Kenneth Burgess, Code Enforcement Officer; Amber Roberts, Assessor/Bookkeeper; Eileen Per-kins, Assessor; Chuck Palermo, V/Red Creek Mayor; Dave & Kim Doyle, MRB group.

Copies presented to the Town Board:

1. Minutes of July 21, 2009 (Regular Meeting)
2. Minutes of Aug. 07, 2009 (Special Meeting)
3. General Fund Claims (Unaudited)
4. Highway Fund Claims (Unaudited)
5. Ingersoll Drive Water District Claims (Unaudited)

The Supervisor's, Town Clerk's, Justices, Code Enforcement Offi-cer's, Highway Supt's and Animal Control Officer's reports were pre-sented to the Town Board.

The Supervisor called the meeting to order at 7:00 PM.

PUBLIC HEARING ON WATERS ROAD/RED CREEK ROAD WATER DISTRICT -

The Supervisor declared the Public Hearing open at 7:01 PM.

The Town Clerk read the notice of Public Hearing and

showed proof of publication.

Supervisor Park asked if there was anyone present who would like to speak regarding the Waters Road/Red Creek Road Water District and its formation.

CLOSE PUBLIC HEARING -

There being no comments or questions from the floor, Supervisor Park made the motion to close the Public Hearing at 7:05 PM. Seconded by Adam Ellis.

GENERAL BUSINESS -

GENERAL CORRESPONDENCE -

1. Letter from Red Creek Conservation Club notifying us of their intent to renew their liquor license from NYS Liquor Authority.

2. Card from WA CO Humane Society acknowledging our monetary contribution in memory of Barbara Rising, Betty Dowd's daughter.

A motion was made by Kim Park, seconded by Scott Gregg, to accept the minutes of July 21 and Aug. 07, 2009, general correspondence and departmental reports. VOTE - AYES 5  
NAYS 0.

ABSTRACT OF CLAIMS -

GENERAL ACCOUNT - Claims #318 thru #356 - total - \$8,876.37

HIGHWAY ACCOUNT - DA Townwide & DB Outside - total - \$12,069.03

INGERSOLL DRIVE - Claim #002 thru #004- total - \$53.42

A resolution was presented by Kim Park, moved by Dallas

Youngman,  
seconded by Jeff Keller "Be it RESOLVED to pay General,  
Highway and Ingersoll Drive claims as presented." VOTE -  
AYES 5 NAYS 0 .

ASSESSORS - Amber Roberts & Eileen Perkins

1. Amber announced their clerk, Kim Flood, will be leaving in the near future. As they will need to replace her, they asked per-mission from the Board to place an ad in the paper for said position.

The Board approved the request.

2. Amber reported the small claims hearing which was scheduled

for that morning was postponed.

3. Eileen asked if the Board had a problem with her taking the older laptop from the office when she is away for 2-3 months during the winter in order to stay in touch while she's away. The Board didn't have any objections to this.

4. Amber gave official notice of her upcoming 2010 vacation. She is planning to be in Australia from March 25th thru April 7th next year.

HIGHWAY - Tom Interlichia (ABSENT)

WATERS ROAD/RED CREEK ROAD WATER DISTRICT -

At this point, Supervisor Park referred to Dave Doyle of MRB group who passed out their proposal for engineering services for the Waters Road/Red Creek Road Water District. Supervisor Park went over the details while Mr. Doyle added more specifics to the discussion.

WATERS ROAD/RED CREEK ROAD WATER DISTRICT - (cont'd)

AUTHORIZE SUPERVISOR TO SIGN CONTRACT WITH MRB GROUP FOR ENGI-NEERING SERVICES FOR THE WATERS ROAD/RED CREEK ROAD WATER DISTRICT -

The following resolution was presented by Kim Park, moved by Dallas Youngman, seconded by Jeff Keller,

WHEREAS, the Town desires to expand public water service to the Town; and

WHEREAS, Waters Road/Red Creek Road is a crucial 12-inch main to deliver water to the rest of the Town; and

WHEREAS, a water district for said area has been formed via for-mal petition with 50 percent of resident owners and assessed value requesting such a district; and

WHEREAS, it is necessary for the Town to have engineering and engineering administration for the project;

NOW, THEREFORE, BE IT RESOLVED the Supervisor is authorized to sign a contract with MRB group for engineering and administration services at a cost not to exceed \$180,250.00 per project scope.

VOTE - AYES 5 NAYS 0 .

PORT BAY WATER DISTRICT -

Mr. Doyle also referenced the proposed Port Bay Water District and the need to get more accurate information regarding the number of specific units contained within this district. They will be sending someone to work with the assessor's office so that everyone is on the same page. Supervisor Park added the proposal submitted by Stuart Brown Associates for this district will be pro-rated accordingly with the Town of Huron.

RESOLUTION ACCEPTING PROPOSAL FROM STUART BROWN ASSOCIATES FOR PED SUBMISSION TO RURAL DEVELOPMENT FOR PORT BAY WATER DISTRICT -

The following resolution was presented by Kim Park, moved by Adam Ellis, seconded by Jeff Keller,

WHEREAS, the westside of Port Bay is in need of public water; and

WHEREAS, the Town Board supports the project; and

WHEREAS, a pre-eligibility determination is required from Rural Development; and

WHEREAS, Stuart Brown Associates, Inc., has submitted a proposal for \$1,600.00 to prepare the pre-eligibility determination for sub-mission to Rural Development;

NOW, THEREFORE, BE IT RESOLVED to authorize Supervisor to sign proposal accepting Stuart Brown Associates proposal for \$1,600.00.

VOTE - AYES   5   NAYS   0  .

RE-VISIT WATERS ROAD/RED CREEK ROAD WATER DISTRICT -

Supervisor Park had the field review results for the bog turtle habitat survey of which none were found to deter the institution of this water district.

The following resolution was presented by Kim Park, moved by Adam Ellis, seconded by Dallas Youngman,

FINAL ORDER OF TOWN BOARD ESTABLISHING WATERS ROAD/RED CREEK ROAD WATER DISTRICT -

A resolution having been duly adopted by the Town Board of the Town of Wolcott directing the Town Engineer to supervise the preparation of a map, plan and report for providing facilities, improvements or services in a portion of the Town of Wolcott, wherein a water district, hereinafter described, was proposed to be established, and said map, plan and report having duly been filed in the office of the Town Clerk on 05/31/09, and an order having been duly adopted by said Town Board on 07/21/09, reciting the description of the boundaries of the proposed district, the maximum amount proposed to be expended for the improvements, the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public

inspection, and specifying that said Town Board shall meet at the Town Hall, located at 6070 Lake Avenue, Wolcott, Wayne County, New York, on 08/18/09, for the purpose of conducting a public hearing on such proposal to establish the wa-ter district with the specified improvements and to hear all persons interested in the subject thereof concerning the same, and a hearing having been duly held by said Board at such time and place, and it having been duly resolved and determined following such hearing that the notice of hearing was published and posted as required by law and otherwise sufficient, that all the property and property owners with-in the proposed district were benefited thereby, that all property and property owners benfited were included within the limits of the proposed district, and that it was in the public interest to grant in whole the relief sought, it is hereby

ORDERED, that the establishment of the proposed district as set forth in said map, plan and report be approved; that the improvements herein mentioned be constructed by the Petitioner; and such district shall be known and designated as "Waters Road/Red Creek Road Water District of the Town of Wolcott" and shall be bounded and described as set forth in Exhibit "A" attached hereto and made a part hereof; and be it further

ORDERED, that the following improvements in said district be con-structed upon the required funds being available or provided for a water distribution system to supply potable water to approximately 72 residential units; and it is further

FINAL ORDER WATERS ROAD/RED CREEK ROAD WATER DISTRICT  
- (cont'd)

ORDERED, that the project will be funded as set forth in the map, plan and report and as set forth in the Order for a Public Hearing dated 07/21/09; and it is further

ORDERED, that the Town Clerk of the Town of Wolcott is hereby authorized and directed to cause a certified copy of this Order to be duly recorded in the Office of the Clerk

of Wayne County in which the Town of Wolcott is located within ten (10) days of adoption of this Order; and it is further

ORDERED, that the Town Clerk is hereby authorized and ordered to file a certified copy of this Order in the State Department of Audit and Control, Albany, New York, within ten (10) days of adoption of this Order.

Dated: \_\_\_\_\_

\_\_\_\_\_

Wolcott

Kim Park,  
Supervisor, Town of

\_\_\_\_\_

Town Councilman

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Town Councilman

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Town Councilman

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Town Councilman

CODE ENFORCEMENT OFFICER - Ken Burgess

1. Ken discussed the violations cited by the NYS Department of Labor as a representative came to inspect the

Town Hall. The last inspection was in 2002. Councilman Keller will take care of these as soon as we get our official notice containing the specifics from the Department of Labor.

TOWN CLERK - Dawn Krul

1. The Town Clerk brought up the need to change the September board meeting as the County has a night meeting scheduled for our normal night which would be the 15th. It was determined to hold our meeting on Monday, Sept. 14th. The Town Clerk will advertise the change in the Wayne County Star.

SUPERVISOR - Kim Park

1. Kim informed the Board of a meeting regarding sewer lines along Blind Sodus Bay. Councilman Gregg attended this meeting, too, and this would be a joint project with Cayuga County. They both shared their thoughts and insights as to the potential for this to become a viable project.

2. Kim read a letter received from the owners of the Meadow Creek Mobile Home Park. It contained comparison costs between pads and footers. Discussion. In the end, the Board decided to leave the local law as originally written. Supervisor Park will let them know of their decision.

3. Kim discussed a proposal from Stuart Brown Associates to pre-prepare an application to the Clean Vessel Assistance Program for a pump-out facility on Port Bay.

AUTHORIZE SUPERVISOR TO SIGN AGREEMENT WITH STUART BROWN ASSOCI-ATES FOR PREPARATION OF CLEAN VESSEL ASSISTANCE PROGRAM PROPOSAL -



The following resolution was presented by Kim Park, moved by Jeff Keller, seconded by Dallas Youngman,

WHEREAS, the Town of Wolcott has a vested interest in improving the water quality in the Town of Wolcott's embayments; and

WHEREAS, there is currently no pump-out facility for Port Bay and Port Bay Marina has volunteered to host such a facility; and

WHEREAS, such a pump-out facility would help improve the water quality and nutrient loading on Port Bay,

NOW, THEREFORE, BE IT RESOLVED to authorize the Supervisor to sign agreement with Stuart Brown Associates to prepare such proposal at a cost not to exceed \$750.00.

VOTE - AYES 4 NAYS 1.

4. Kim wanted to make the Board aware of a grant offered to pri-vate marinas called B.I.G (Boating Infrastructure Grant). This is a competitive grant that marinas can apply for to help with maintenance construction of public restrooms, electric service at the docks, etc. It is designed to draw boaters to the area. She wasn't sure if it was something to be pursued or not as she hasn't heard back from the owner of the one marina we do have.

SUPERVISOR - (cont'd)

5. Kim met with Henry Kelsey of WA CO Soil and Water Authority regarding the drainage problem on Red Creek Road behind David Tee-ter's house. They went to the site and Mr. Kelsey took pictures of the area so as to help determine what might need to be done to alle-viate the problem. She also took Mr. Kelsey around Port Bay to point out some of our goals and needs we hope to have met.

6. Kim talked about the situation which has arisen because the County is wanting to cut back the curve at the

corner of Spring Green and Ridge Roads. There is an old cemetery located in this vicinity which is registered in Lyons with the County historian. Hank Sanzotta is the owner of this property but in order for the County's road project to begin, this area needs to be cleared and then a search made for markers in the cemetery. The highway crew would be doing the searching while the Highway Supt. and the Town of Wolcott Historian would be overseeing the process. If no markers are uncovered or suspected, this would be documented with the Highway Supt. and the Town Historian attesting to this and the project could then proceed. Kim will be discussing this with Mr. Sanzotta in the near future and will bring back more information possibly to next month's meeting.

7. Kim reported that last night she, Councilman Gregg, Assessor, Amber Roberts and Highway Supt., Tom Interlichia, went to a public meeting in Red Creek regarding the possibility of applying for a grant to help with a study to determine the benefits and/or the cost of actually dissolving the Village of Red Creek. At this point, Mayor Palermo began filling in the rest of the Board with the details on how this might be played out. He has called an emergency meeting for the Red Creek Village Trustees for Friday, Aug. 21st. This meeting would be to vote on whether or not to proceed with a voluntary study. There is still a cost involved with a voluntary study but it doesn't invoke the law stating you have to go through with the whole dissolution process. The committee formed to do the study would report back to the Village Board either with a recommendation not to dissolve or if they do recommend dissolution, then they would go forward with having a public referendum and then vote on it. This would have to be done in a timely manner as the deadline to apply for the grant is September 23rd. Also, as this is an inter-municipal grant they have to apply for this grant with another municipality, which means we would split the cost with them. Supervisor Park asked Mayor Palermo to determine what this would cost the Town monetarily and come back to next month's board meeting with some figures. Mayor Palermo thanked the Board for their cooperation and

left the meeting at 8:10 PM.

8. Kim stated the need to amend the highway budget as it was on the agenda to do so at last month's meeting but Tom wanted to check out his figures against Amber's before making the amendment.

SUPERVISOR - (cont'd)

AUTHORIZE BUDGET AMENDMENT TO 2009 HIGHWAY BUDGET -

The following resolution was presented by Kim Park, moved by Adam Ellis, seconded by Scott Gregg,

WHEREAS, improvements have exceeded projections in the 2009 High-way budget; and

WHEREAS, said budget must be balanced,

NOW, THEREFORE, BE IT RESOLVED, to transfer \$1,574.81 from DB5110.4 (Repairs) to DB5112.4 (Improvements).

VOTE - AYES 5 NAYS 0.

9. Kim was contacted by Larsen Engineers with a proposal to assist us in applying for a grant from NYSERDA to help with the up-grades for the Town Hall building project. She would need to be au-thorized to sign a contract with them.

AUTHORIZE SUPERVISOR TO SIGN CONTRACT FOR NYSERDA GRANT APPLICA-TION WITH LARSEN ENGINEERS -

The following resolution was presented by Kim Park, moved by Adam Ellis, seconded by Jeff Keller,

WHEREAS, the Town Hall is in need of certain upgrades and remo-  
deling; and

WHEREAS, the Town Board wishes to have these upgrades as energy efficient and cost effective as possible; and

WHEREAS, there are funds available to offset the cost of such energy efficient upgrades through NYSERDA; and

WHEREAS, the Town Board sees it is an economic advantage to the Town to apply for such funding;

NOW, THEREFORE, BE IT RESOLVED to authorize the Supervisor to sign a contract with Larsen Engineers for NYSERDA application at a cost not to exceed \$1,500.00.

VOTE - AYES 5 NAYS 0.

10. Kim began the discussion of the building update by telling the Board she had met with Rae Butler, who is an engineer involved with geo-thermal heating/air-conditioning. Ms. Butler determined we don't have enough space to be able to make this kind of energy source work. At this point, Kim asked Councilman Gregg to bring us up to date with our building project. Much discussion ensued covering many aspects of this project. It was eventually determined Councilman Gregg would put specs together to advertise for bids on gutting the basement.

The next regular meeting of the Wolcott Town Board will be held Monday, Sept. 14, 2009, at 7:00 PM at the Town Hall.

A motion was made by Scott Gregg, seconded by Adam Ellis, to adjourn the meeting at 8:45 PM.

submitted,

Respectfully

Dawn M. Krul,  
Town Clerk







