

REGULAR MEETING & SPECIAL MEETING
WOLCOTT TOWN BOARD - DECEMBER 15, 2009

A regular and special meeting (public hearing) of the Wolcott Town Board was held Tues., Dec. 15, 2009, at the Wolcott Town Hall with the following people present:

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

OTHERS PRESENT - Dawn Krul, Town Clerk; Kenneth Burgess, Code Enforcement Officer; Tom Interlichia, Highway Supt.; Amber Roberts, Assessor/Bookkeeper; Eileen Perkins, Assessor; Chris Loveless, 11700 Tompkins Pt. Rd., Wolcott; Adam Ellis, III, Joshua Snyder, Holly Mitchell, Billy Curtis, Erica Depew, Students.

Copies presented to the Town Board:

1. Minutes of November 17, 2009 (Regular Meeting)
2. General Fund Claims (Unaudited)
3. Highway Fund Claims (Unaudited)
4. West Port Bay Road Water District Claims (Unaudited)

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

OPEN PUBLIC HEARING -

The Supervisor declared the hearing open at 7:00 PM.

The Town Clerk read the notice of Public Hearing on Proposed Local Law #1-2009 to impose a local fee to dog licenses.

Supervisor Park asked for any questions or comments from the floor on the proposed law.

CLOSE PUBLIC HEARING -

There being none, Supervisor Park made a motion to close the public hearing, seconded by Adam Ellis, at 7:02 PM.

RESOLUTION APPROVING LOCAL LAW #1-2009 TO INCREASE FEES FOR DOG LICENSES -

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

WHEREAS, the current fee for dog licenses is \$2.50 for each spayed or neutered dog and \$10.50 for each unspayed or unneutered dog; and

WHEREAS, the Town Board is in agreement that these fees have not been adjusted in years to account for increases in administrative costs; and

WHEREAS, a public hearing was held December 15, 2009, and a new local law proposed as follows:

LICENSE FEES

Section 1: Pursuant to Section 110(4)(a) of the New York State Agriculture and Markets Law, local municipalities may charge a fee for the issuing of dog licenses in addition to those fees as set forth in Section 110(1) of the Agriculture and Markets Law.

Section 2: The license fee for each dog license issued pursuant to Subdivision 1 of Section 109 of the Agriculture

and Markets Law shall be:

(a) \$5.00 for each spayed and neutered dog and \$13.00 for each unspayed or unneutered dog licensed for one year.

Section 3: All other sections of the New York State Agriculture and Markets Law Section 110, not herein modified by the Local Law, shall remain as set forth therein.

Section 4: This Local Law shall take effect upon filing with the Secretary of State.

NOW, THEREFORE, BE IT RESOLVED according to new Local Law #1-2009 fees will increase to \$5.00 for each spayed or neutered dog and increase to \$13.00 for each unspayed or unneutered dog - effective as of February 1, 2010.

On Roll Call Vote - Park "YES", Youngman "YES", Keller "NO",

Gregg "ABSENT", Ellis "YES".

GENERAL BUSINESS -

GENERAL CORRESPONDENCE -

1. Sales tax distribution chart for the 3rd quarter of 2009 from WA CO Treasurer and a check for our portion. Check given to Amber.

2. Letter from the Wolcott Chamber of Commerce announcing the 2nd annual CNY Wine & Jazz Fest and requesting sponsors for the event

A motion was made by Kim Park, seconded by Dallas Youngman, to accept the minutes of Nov. 17, 2009, general correspondence and de-partmental reports. VOTE -
AYES 4 NAYS 0.

GENERAL BUSINESS - (cont'd)

ABSTRACT OF CLAIMS -

GENERAL ACCOUNT - Claims #494 thru #542 - total -
\$14,036.00

HIGHWAY ACCOUNT - DA Townwide & DB Outside - total - \$18,760.63

WEST PORT BAY WD - Claims #1 & #2 - total - \$103,527.50

A resolution was presented by Kim Park, moved by Dallas Youngman, seconded by Jeff Keller "Be it RESOLVED to pay General, Highway and West Port Bay WD claims as presented." VOTE - AYES 4 NAYS 0.

ASSESSORS - Amber Roberts & Eileen Perkins

1. Eileen informed the Board there will be a joint public meet-ing with the Town of Butler (they are also doing an update for 2010) along with ORPS people from the state, in February. It will be held at the Wolcott Theater.

HIGHWAY - Tom Interlichia

1. Tom reported that the budget estimates for this year were pretty much on target.
2. Tom mentioned the trip rate for each time they plow this year went up by 40 or 50 dollars.

Tom left the meeting at 7:15 PM.

CODE ENFORCEMENT OFFICER - Ken Burgess

1. Ken stated he was currently doing fire inspections for the Town's public assembly buildings.
2. Ken said he had one response from the ad placed for the Plan-ning Board secretarial position. The Board looked over the resume and would come back to this later in the meeting.
3. Ken remarked that building permits are winding down.

TOWN CLERK - Dawn Krul

1. The Town Clerk made mention that the Town Hall would be closed Christas Eve and Christmas day.

SUPERVISOR -

1. RESOLUTIONS FOR PORT BAY WATER PROJECT -

AUTHORIZE SUPERVISOR TO SIGN SERVICES AGREEMENT WITH STUART BROWN ASSOCIATES FOR RURAL DEVELOPMENT FINAL APPLICATION FOR PORT BAY WATER PROJECT -

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

WHEREAS, the Town of Wolcott will be the lead agency for this project in partnership with the Town of Huron; and
WHEREAS, a final application must be submitted; and
WHEREAS, the Town of Wolcott desires to contract with Stuart Brown Associates for such services,

NOW, THEREFORE, BE IT RESOLVED to authorize Supervisor, Kim Park, to sign the proposal for services for Rural Development final appli-cation for Port Bay Water Project at a cost of \$3,500.00 to be shared with the Town of Huron.

VOTE - AYES 4 NAYS 0.

AUTHORIZE SUPERVISOR TO SIGN PROPOSAL FOR SERVICES WITH STUART BROWN ASSOCIATES FOR RURAL DEVELOPMENT ENVIRONMENTAL AND PROJECT MANAGEMENT SERVICES FOR PORT BAY WATER PROJECT -

The following resolution was presented by Kim Park,

moved by Jeff Keller, seconded by Dallas Youngman,

WHEREAS, the Town of Wolcott conducted a survey of Port Bay residents and found an overwhelming majority of residents desire public water; and

WHEREAS, upon sampling residents' water a large percentage of samples tested positive for bacteria, coliform and ecoli; and

WHEREAS, the Department of Health suggested public water for the safety of the residents; and

WHEREAS, the Town Board desires to bring public water to these residents;

NOW, THEREFORE, BE IT RESOLVED to authorize Supervisor, Kim Park, to sign the agreement for above stated services at a total not to exceed \$15,000.00 for services to be shared with the Town of Huron.

VOTE - AYES 4 NAYS 0 .

SUPERVISOR - (cont'd)

AUTHORIZE SUPERVISOR TO SIGN AGREEMENT FOR SERVICES WITH BERNARD P. DONEGAN IN CONNECTION WITH THE WOLCOTT/HURON PORT BAY JOINT WATER PROJECT -

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

WHEREAS, the Town will begin construction on the Port Bay Water Project in partnership with the Town of Huron in summer 2010; and

WHEREAS, it will be necessary to have financial

advisement regarding temporary financing, borrowing, bond anticipation, scheduling and document preparation for said project; and

WHEREAS, it is necessary for the Town to contract for such services before the start of the project;

NOW, THEREFORE, BE IT RESOLVED to authorize Supervisor, Kim Park, to sign agreement with Bernard P. Donegan Inc. for financial consulting services for said project at a cost of \$4,450.00 plus out-of-pocket expenses and any additional work needed at a rate of \$126.00 per hour.

VOTE - AYES 4 NAYS 0 .

AUTHORIZATION FOR STANTEC CONSULTING SERVICES TO
PREPARE A BOG
TURTLE HABITAT INVESTIGATION -

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

WHEREAS, the Towns of Wolcott and Huron are considering the extension of public water improvements within the Port Bay Water District, which involves the installation of 39,300 linear feet of water main along portions of West Port Bay Road, Wood Tract Road, Tompkins Point Road, North Maple Street, South Maple Street, Loon Point Road and Graves Point Road, and the Town of Wolcott is acting as the Lead Agency for the project; and

WHEREAS, an environmental review is required for the construction of the proposed water system improvements within Port Bay Water District; and

WHEREAS, based upon an analysis of information regarding endangered and/or threatened species potentially located within the project area, it has been determined that a field investigation to assess the potential for bog turtle habitat is necessary to complete the environmental review of the proposed action,

NOW, THEREFORE, BE IT RESOLVED that the Town of Wolcott authorizes Stantec Consulting Services to prepare a bog turtle habitat investigation. The Town of Wolcott

acknowledges that the fee for the study is \$2,900.00, and acknowledges that the Town is responsible for payment of this fee.

VOTE - AYES 4 NAYS 0 .

SUPERVISOR - (cont'd)

2. RESOLUTION FOR WATERS/RED CREEK ROAD WATER PROJECT

AUTHORIZE SUPERVISOR TO SIGN AGREEMENT FOR SERVICES WITH BERNARD P. DONEGAN IN CONNECTION WITH WATERS/RED CREEK ROAD WATER PROJECT -

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

WHEREAS, the Town will begin construction on the Waters/Red Creek Road Water Project in spring fo 2010; and

WHEREAS, it will be necessary to have financial advisement regar-ding temporary financing, borrowing, bond anticipation, scheduling and document preparation for said project; and

WHEREAS, it is necessary for the Town to contract for such ser-vices before the start of the project;

NOW, THEREFORE, BE IT RESOLVED to authorize Supervisor, Kim Park, to sign agreement with Bernard P. Donegan Inc. for financial consul-ting services for the Waters/Red Creek Road Water Project at a cost of \$2,225.00 plus out-of-pocket expenses and any additional work needed at a rate of \$126.00 per hour.

VOTE - AYES 4 NAYS 0 .

3. RESOLUTIONS FOR BLIND SODUS BAY SEWER PROJECT -

AUTHORIZE SUPERVISOR TO SIGN PROPOSAL FOR SERVICES FOR PRE-ELIGI-BILITY DETERMINATION FOR BLIND SODUS BAY SEWER PROJECT WITH STUART BROWN ASSOCIATES -

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

WHEREAS, the Town Board desires to implement sanitary
sewer for Blind Sodus Bay; and

WHEREAS, the Town sees the need to improve the water
quality in this embayment; and

WHEREAS, it is necessary to seek funding opportunities
for this project with Rural Development;

NOW, THEREFORE, BE IT RESOLVED to authorize
Supervisor, Kim Park, to sign proposal for services for
pre-eligibility determination with Stuart Brown Associates
for a fee of \$1,500.00

VOTE - AYES 4 NAYS 0 .

SUPERVISOR - (cont'd)

AUTHORIZE SUPERVISOR TO SIGN AGREEMENT FOR SERVICES
WITH BERNARD P. DONEGAN IN CONNECTION WITH BLIND SODUS BAY
SEWER PROJECT -

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

WHEREAS, the Town will begin construction on the Blind
Sodus Bay Sewer Project in late spring of 2010; and

WHEREAS, it will be necessary to have financial
advisement regarding temporary financing, borrowing, bond
anticipation, scheduling and document preparation for said
project; and

WHEREAS, it is necessary for the Town to contract for
such services before the start of the project;

NOW, THEREFORE, BE IT RESOLVED to authorize

Supervisor, Kim Park, to sign agreement with Bernard P. Donegan Inc. for financial consulting services for the Blind Sodus Bay Sewer Project at a cost of \$4,450.00 plus out-of-pocket expenses and any additional work needed at a rate of \$126.00 per hour.

VOTE - AYES 4 NAYS 0 .

AUTHORIZATION FOR SUPERVISOR TO SIGN AGREEMENT WITH MRB GROUP FOR PROFESSIONAL SERVICES FOR PRELIMINARY ENGINEERING SERVICES FOR BLIND SODUS BAY SANITARY SEWER PROJECT -

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

WHEREAS, the Town of Wolcott conducted a survey of residents of Blind Sodus Bay; and

WHEREAS, a majority of residents desire sanitary sewer; and

WHEREAS, the Town Board agrees the installation of sanitary sewer is in the best interest of the bay and its residents; and

WHEREAS, the Town desires to apply for a low interest loan through Rural Development; and

WHEREAS, it is necessary to have a preliminary engineering report in order to apply for funding through Rural Development; and

WHEREAS, MRB group has submitted an acceptable proposal for such services,

NOW, THEREFORE, BE IT RESOLVED that Supervisor, Kim Park, is authorized to sign an agreement for preliminary engineering services with MRB group for a cost not to exceed \$6,400.00.

VOTE - AYES 4 NAYS 0 .

Kim commented that the closing for the West Port Bay Road Water District will be tomorrow. She also mentioned an upcoming meeting to discuss the easements we will need to utilize concerning the Port Bay Water Project.

SUPERVISOR - (cont'd)

4. SNOW AND ICE CONTRACT -

AUTHORIZE SUPERVISOR TO SIGN 2009-2010 SNOW AND ICE CONTRACT WITH WAYNE COUNTY HIGHWAY DEPARTMENT -

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

WHEREAS, the County has roads in the Town of Wolcott that must be plowed; and

WHEREAS, the County desires to contract with the Town of Wolcott for snow and ice removal on County roads;

NOW, THEREFORE, BE IT RESOLVED the Town Board authorizes Super-visor, Kim Park, to sign the 2009-2010 snow and ice contract with Wayne County.

VOTE - AYES 4 NAYS 0.

AWARD BID FOR HANDICAPPED RAMP PROJECT -

5. Kim informed the rest of the Board that after running an ad for bids on the handicapped ramp for two weeks, only one bid was re-ceived. This bid was opened December 7th at 1:15 PM. It was from Chris Loveless Construction for \$39,645.00. At this point, Kim in-terjected that there is a problem with the specs for the door and this would need to be addressed. This led to much discussion regard-ing the door. After this discussion, the Board agreed to award the bid to Chris Loveless Construction and the bid documents were given to the Town Clerk to keep on file.

6. Kim continued with the issue Rural Development has with us receiving grant monies from them and the building not presently meet-ing the handicapped accessibility standards. As we cannot comply with their standards until after the construction of the handicapped ramp, as well as handicapped bathrooms, they are requesting we hold all of our public meetings in a place where those standards are met.

Discussion. The Board will be checking into possible locations to hold our meetings.

7. Kim opened the two bids received for the basement demolition. The first was from Don Harter & Sons for \$7,035.00. The second was from Chris Loveless Construction for \$7,370.00. Kim passed around the bid quotes for the rest of the board to look over. Discussion. After the discussion, it was determined, due to the closeness of the bids, to award the bid to Chris Loveless construction as he resides within the Town of Wolcott.

SUPERVISOR - (cont'd)

AWARD BID FOR BASEMENT DEMOLITION -

The following resolution was presented by Adam Ellis, moved by Dallas Youngman, seconded by Jeff Keller, "Be it RESOLVED to award the bid for demolition of the basement at the Town Hall to Chris Loveless Construction for the amount of \$7,370.00."
VOTE - AYES 4 NAYS 0 .

8. Kim brought up the need once again to choose RG&E or another Energy Service Company for 2010. The fixed rate with RG&E is no longer an available option. The board determined to stay with RG&E at the variable rate.

9. Kim presented a letter from the Wayne County Humane Society regarding signing a contract with them for services in 2010. We have not signed this contract in past years, but in doing so we would receive certain discounts. Discussion. The board decided to sign the contract for 2010.

AUTHORIZE SUPERVISOR TO SIGN CONTRACT WITH HUMANE SOCIETY OF WAYNE COUNTY -

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

WHEREAS, the Town of Wolcott has an Animal Control Officer; and

WHEREAS, the Animal Control Officer, at times, has cause to have animals either boarded for euthanized; and

WHEREAS, our local Humane Society offers such services and is used by the Town of Wolcott; and

WHEREAS, if the Town signs a yearly contract with the Humane Society of Wayne County, rates for services are cheaper;

NOW, THEREFORE, BE IT RESOLVED to authorize Supervisor, Kim Park, to sign the contract for the year 2010 with the Humane Society of Wayne County.

10. Kim stated Pomona Packing LLC is requesting a letter of support from us for their company. Kim said she's not really sure from the letter she's received who they are exactly. So she will write back and ask them and then bring the information back to the organizational meeting at the end of the month.

11. Kim would like to hold the organizational meeting on the 28th of December at 6:00 PM. The rest of the board didn't have any objections.

SUPERVISOR - (cont'd)

APPROVE PLANNING BOARD SECRETARY -

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

WHEREAS, the position for secretary to the Planning Board needed to be filled; and

WHEREAS, the ad placed for said position garnered only one applicant with a highly-qualified resume;

NOW, THEREFORE, BE IT RESOLVED to approve and appoint Margaret Wilbert as the secretary to the Planning Board.

VOTE - AYES 4 NAYS 0.

The next regular meeting of the Wolcott Town Board will be held

Jan. 19, 2010, at 7:00 PM at the Town Hall.

A motion was made by Dallas Youngman, seconded by Jeff Keller, to adjourn the meeting at 7:50 PM.

submitted,

Respectfully

Dawn M. Krul,
Town Clerk

