

REGULAR MEETING & SPECIAL MEETING (PUBLIC HEARING)
WOLCOTT TOWN BOARD - JUNE 15, 2009
(UNAUDITED)

A regular meeting and special meeting of the Wolcott Town Board was held Mon., June 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
Councilman - Adam Ellis, Jr.

OTHERS PRESENT - Dawn Krul, Town Clerk; Kenneth Burgess, Code Enforcement Officer; Amber Roberts, Assessor/Bookkeeper; Eileen Perkins, Assessor; Stephanie Kasson, 13792 Jenkins Rd., Red Creek; Debbie & Scott Martin, 6542 Waters Rd., Red Creek; Chris Loveless, 11700 Tompkins Point Rd., Wolcott; John Addyman, Finger Lakes Times.

Copies presented to the Town Board:

1. Minutes of May 19, 2009 (Regular Meeting)
2. General Fund Claims (Unaudited)
3. Highway Fund 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.

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

PUBLIC HEARING ON PROPOSED RESOLUTION TO TRANSFER
HIGHWAY FUNDS -

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 then asked for any comments from the floor. There were none from the public, but bookkeeper, Amber Roberts stated for the record the amount of the CD to be transferred was now \$71,220.98, as opposed to \$71,197.68, due to interest. This will be reflected in the resolution.

CLOSE PUBLIC HEARING -

There being no further comments, Supervisor Park declared the hearing closed at 7:03 PM.

STEPHANIE KASSON -

Ms. Kasson attended tonight's meeting to inquire of the Board if the Town has any noise/nuisance laws or an annoyance law as the va-cant land which borders hers is being renovated. Since the beginning of this renovation, which began in November of 2008, some of the equipment being used has been very loud and other events which have occurred during this process have disturbed her. She would like to know if the Town could do anything or could recommend what she could do to alleviate this problem. Discussion.

Supervisor Park concluded by reiterating that there are no local laws/ordinances that pertain to Ms. Kasson's concerns and stated it is more of a civil matter which she could contact the police about or even try talking with the property owner. Ms. Kasson said she could try and thanked the Board for their time.

DEBBIE MARTIN -

Ms. Martin appeared before the Town Board tonight to discuss what she considers to be serious problems with her neighbor's dogs. For the past 2 or 3 years she stated they have dealt with the dogs tear-ing up her garden, getting

into her garbage and just coming into their yard. On one occasion, she alleged their neighbor's threatened her son because he was getting after the dogs to get them out of their yard. She has contacted the police numerous times and each time they tell her to just keep chasing them off of their property. She feels it is not her responsibility to keep cleaning up after her neighbor's dogs. She wants to know what the Town can do to help her rectify this problem. She has contacted Gary Mettler, our Animal Control Officer, and he has told her he can only do so much as the Town doesn't have a leash law. Other possible options were discussed but without a leash law, those options are limited. Though the Board was sympathetic to her situation, they recommended she continue to go through Gary. Likewise, Supervisor Park said she would contact Gary to make sure the dogs are licensed, discuss the situation with him and then work toward a possible solution.

GENERAL BUSINESS -

GENERAL CORRESPONDENCE -

1. Letter from Red Creek Central School notifying us that the following persons were elected to the Board of Education on May 19, 2009 - Charles F. Paice, Patrick W. Scutt and Darrell T. Uetz.

2. Annual Report from the Village of Wolcott on the quality of their drinking water for 2008.

A motion was made by Kim Park, seconded by Dallas Youngman, to accept the minutes of May 19, 2009, general correspondence and de-partmental reports. VOTE -

AYES 5 NAYS 0.

GENERAL BUSINESS - (cont'd)

ABSTRACT OF CLAIMS -

GENERAL ACCOUNT - Claims #222 thru #270 - total - \$14,185.67

HIGHWAY ACCOUNT - DA Townwide & DB Outside - total - \$140,238.64

A resolution was presented by Kim Park, moved by Dallas Youngman, seconded by Jeff Keller "Be it RESOLVED to pay General and Highway claims as presented." VOTE - AYES 5 NAYS 0.

ASSESSORS - Amber Roberts & Eileen Perkins

1. Amber stated Grievance Day is over and now they are busy working on getting things in order for the update.
2. Eileen commented they are working on land values townwide that make sense due to much higher sales - including those that aren't even waterfront property.

HIGHWAY - Tom Interlichia (ABSENT)

Tom was absent for this meeting.

CODE ENFORCEMENT OFFICER - Ken Burgess

1. Ken said it has been "business as usual" since returning from his vacation.

TOWN CLERK - Dawn Krul

1. RESOLUTION TO AMEND ABSTRACT #5-2009 -

The following resolution was presented by Kim Park, moved by Dallas Youngman, seconded by Scott Gregg,

WHEREAS, the abstract submitted for approval at the regular board meeting in May contained voucher #207 for fees submitted by Bank of America totaling \$533.64; and

WHEREAS, upon discussion by the Board Members it was determined not to pay said fees;

NOW, THEREFORE, BE IT RESOLVED to amend Abstract

#5-2009 so as to total \$5,798.34 - a reduction of \$533.64.
VOTE - AYES 5 NAYS 0.

At this point, Supervisor Park commented that she didn't know what the repercussions might be for not paying these fees. She will be talking with the higher-ups at Bank of America this week to hope-fully work this out in our favor.

SUPERVISOR - Kim Park

FYI - WA CO Rural Health Network Newsletter
- Article by John Addyman in Finger Lakes Times

1. Kim stated we needed to do a resolution regarding the records retention manual.

ADOPTION OF RECORDS RETENTION MANUAL -

The following resolution was presented by Kim Park, moved by Dallas Youngman, seconded by Adam Ellis "Be it RESOLVED by the Town Board of the Town of Wolcott that the Records Retention and Disposition Schedule MU-1, issued pursuant to Article 57-A of the Arts & Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein; and
"Be it FURTHER RESOLVED, that in accordance with Article 57-A:

(a) only those records will be disposed of that are described in Records Retention and Disposition Schedule MU-1 after they have met the minimum retention periods described therein; and

(b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum

periods.

VOTE - AYES 5 NAYS 0 .

2. Kim told the Board there were several resolutions needing to be adopted for this meeting. She would present them at this time with a brief explanation for each one.

AUTHORIZE SUPERVISOR TO SIGN WATERS ROAD/RED CREEK ROAD WATER DISTRICT PETITION FOR TOWN OF WOLCOTT PROPERTY -

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

WHEREAS, the Town Board supports the Waters Road/Red Creek Road Water District; and

WHEREAS, this district will provide a 12-inch main necessary to supply future districts with water; and

WHEREAS, the town has property at 12725 Red Creek Road in the proposed water district;

NOW, THEREFORE, BE IT RESOLVED to authorize the Town Supervisor to sign the Waters Road/Red Creek Road Water District petition on behalf of the property owned by the Town of Wolcott.

VOTE - AYES 5 NAYS 0 .

SUPERVISOR - (cont'd)

AUTHORIZE HIGHWAY BUDGET TRANSFERS AND AMEND THE 2009 TOWN OF WOLCOTT BUDGET -

The following resolution was presented by Kim Park, moved by Scott Gregg, seconded by Dallas Youngman,

WHEREAS, the following transfers are necessary to make payment for 2009 payloaders;

NOW, THEREFORE, BE IT RESOLVED to transfer \$71,220.98 from equip-ment CD, \$37,500.00 from DA2665 sale of equipment and \$4,199.00 from DA5142.4 to DA5130.2 for a total of \$112,919.98.

VOTE - AYES 5 NAYS 0 .

AUTHORIZATION TO TRANFER FUNDS AND AMEND 2009 BUDGET FOR SARA GRANT -

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

WHEREAS, the town was fortunate enough to receive a State Educa-tion Records Management Grant totaling \$13,939.00; and

WHEREAS, the town was not aware of exact dollar amounts to be spent in each budget category; and

WHEREAS, the project is now nearly completed and all funds have been expended; and

WHEREAS, \$6,969.00 was received in the general fund in 2008; and

WHEREAS, it is necessary to now transfer the \$6,969.00 received into the 2009 budget; and

WHEREAS, the remaining \$6,970.00 will be coming from the NYS Edu-cation Department; and

WHEREAS, it is necessary to create line item A1460.1 (Personnel Services);

NOW, THEREFORE, BE IT RESOLVED to transfer from fund balance \$10,521.00 to A1460.1 (Personnel Services) and \$2,569.00 to A1460.4 (Contractual Expense) for a total of \$13,939.00.

VOTE - AYES 5 NAYS 0 .

AUTHORIZATION TO AMEND 2009 BUDGET AND TRANSFER FUNDS FOR THE ASSESSOR'S OFFICE -

The following resolution was presented by Kim Park,

moved by Adam Ellis, seconded by Scott Gregg,

WHEREAS, a laptop computer became non-functional; and
WHEREAS, this was an unexpected occurrence and not
planned in the
2009 budget year; and

WHEREAS, it was necessary to purchase a new laptop for
the
assessor's office;

SUPERVISOR - (cont'd)

RESOLUTION - (cont'd)

NOW, THEREFORE, BE IT RESOLVED to transfer \$198.00 from
A1355.4

(Contractual Expense) to A1355.2 (Equipment).

VOTE - AYES 5 NAYS 0.

AUTHORIZATION TO TRANSFER FUNDS AND AMEND 2009 BUDGET
IN HIGHWAY
SUPERINTENDENT'S GENERAL BUDGET -

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

WHEREAS, the four highway workers desired to unionize;
and

WHEREAS, it was then necessary for the town to hire
legal counsel

to develop a union contract; and

WHEREAS, these funds are a highway expense;

NOW, THEREFORE, BE IT RESOLVED to transfer \$1,437.05
from A5132.4

(Contractual Expense) to A5132.2 (Equipment).

VOTE - AYES 5 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 Jeff Keller,

WHEREAS, the Town is considering the extension of public water improvements within Waters Road/Red Creek Road Water District, which involves the installation of 28,800 linear feet of watermain along portions of Red Creek Road and Waters Road; and

WHEREAS, an environmental review is required for the construction of the proposed water system improvements within Waters Road/Red Creek Road Water District; and

WHEREAS, based upon an analysis of information regarding endan-gered and/or threatened species potentially located within the pro-ject 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 authori-zes Stantec Consulting Services to prepare a bog turtle habitat in-vestigation. The Town acknowledges that the fee for the study is \$1,600.00, and acknowledges that the Town is responsible for payment of this fee.

ON ROLL CALL VOTE - Park "YES", Youngman "YES", Keller "YES",
Gregg "NO", Ellis "YES".

SUPERVISOR - (cont'd)

3. Kim mentioned the building project is moving along. The electric service has been installed and we're getting our third ma-terials quote. This will require us to have a special board meeting to pay some of the bills. The meeting is scheduled for June 23rd and at that meeting Larsen Engineers will be doing a presentation on monies available to help with our building project that are 100 per-cent reimbursable.

4. Kim updated the Board on the Waters Road/Red Creek

Road Water

District. She stated it looks like the initial criteria is going to be met and the district could be formed by the end of the week.

5. Kim read to the Board the violation report on the boiler in the basement. The Town Clerk will call E&V to come and make the re-pairs and then we can send back the paperwork stating we had it fixed so as to be in compliance with the NYS Department of Labor Boiler Safety Bureau.

6. Kim told the Board she had attended a meeting of the Port Bay Association and many there seemed to be in favor of a water district along the west side of Port Bay. We approved the preliminary engi-neering at last month's meeting and the Town of Huron is presenting their resolution tonight for approval. Kim said she has told our engineers to get their reports done as soon as possible so as to be able to begin looking for funding sources before the August break.

7. Kim asked Councilman Gregg to talk about the sidewalk in front of the building. When Chris Loveless was installing the new electrical upgrade, some of the sidewalk to the south of the building had to be dug up. There is also a need to replace a waterline coming from the road into the Town Hall which is on the north side. Discus-sion. It was determined to wait until all repairs have been done and then replace the sidewalk.

EXECUTIVE SESSION -

A motion was made by Kim Park, seconded by Scott Gregg to move into executive session at 7:40 PM to discuss personnel issues at the Highway Department.

CLOSE EXECUTIVE SESSION -

A motion was made by Kim Park, seconded by Dallas Youngman to move out of executive session at 7:55 PM.

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

Tues., July 21, 2009, at 7:00 PM at the Town Hall.

A motion was made by Jeff Keller, seconded by Adam Ellis, to adjourn the meeting at 8:00 PM.

submitted,

Town Clerk

Respectfully

Dawn M. Krul,

