REGULAR MEETING & PUBLIC HEARING
WOLCOTT TOWN BOARD – JULY 16, 2024

A regular meeting of the Wolcott Town Board was held Tuesday, July 16, 2024, at 6:00 PM at the Town Hall with the following people present:

PRESENT - Supervisor - Lynn Chatfield
Councilman - Adam Ellis, Jr.
Councilman - Daniel Youngman
Councilman – Jorden Brown
Councilwoman – Julie Aldrich

OTHERS PRESENT - Jessica Freer, Town Clerk; Zach Decker, Highway Superintendent; Ray Hauss, Code Enforcement Officer.

Copies presented to the Town Board:
1. Minutes of June 18, 2024 (Regular Meeting)
2. General Fund Claims (Unaudited)
3. Highway Fund Claims (Unaudited)

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

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

Pledge of Allegiance –

GENERAL BUSINESS –

OPEN PUBLIC HEARING – Local Law #1-2024

Supervisor Chatfield declared the Public Hearing open at 6:00 PM and asked the Town Clerk to read the notice of Public Hearing on the proposed Local Law #1-2024 Road Preservation.

Supervisor Chatfield asked for comments or questions from the floor –

A resident had a concern about section C in other special conditions, another resident had a concern about the same condition in the local law.

CLOSE PUBLIC HEARING -

A motion was made by Jorden Brown, seconded by Julie Aldrich to close the Public Hearing at 6:06 PM. VOTE - AYES__5__ NAYS__0__.

RESOLUTION #30-24 TO ADOPT LOCAL LAW 1-2024 ENTITLED "ROAD PRESERVATION LOCAL LAW"

The following resolution was presented by Julie Aldrich, seconded by Jorden Brown, moved by Adam Ellis,

RESOLVE to adopt Local Law 1- 2024 entitled "Road Preservation Local Law" within the Town of Wolcott, pursuant to the authority of the Municipal Home Rule law with the amendment to Section 6. Other Special Conditions removing "C. No ATVs or Four-wheelers will be allowed to operate in or on the Town road or right-of-way" from the Local Law.

LOCAL LAW #1 OF 2024, ROAD PRESERVATION LOCAL LAW

BE IT ENACTED: by the Town Board of the Town of Wolcott, as follows:

Section 1: Purpose.

The purpose of this Local Law is to maintain the safety and general welfare of Town residents by regulating commercial activities that have the potential to adversely affect road rights-of-ways. Well maintained roads are important to the economic well-being of the Town. Commercial endeavors, such as timber harvesting and mining, are also economically beneficial. This law Is not intended to regulate such businesses: the intent is to protect the public right-of-ways from damage. The Town Board of the Town of Wolcott hereby enacts the following Road Preservation Local Law pursuant to the provisions of the Municipal of the Municipal Home Rule law.

Section 2: Applicability.

The Wolcott Town Board delegates to the Wolcott Highway Superintendent the oversight of assuring commercial activities do not have an adverse impact on public right-of-ways.

Section 3: Definitions.

Except where specifically defined herein, all words used in this chapter shall carry their customary meanings. Words used in the present tense shall include the future. Words used in the singular number shall include the plural, and words used in the plural number include the singular, unless the context indicates the contrary. The word "shall" is always mandatory. The word "may" is permissive.

The following words shall have the following definitions:

HIGH FREQUENCY, HIGH IMPACT TRUCK TRAFFIC: Traffic to and from a single project site that generates more than ten truck trips per day for more than four consecutive days, involving trucks that exceed 20 tons (truck and load combined) that could impact Town road right-of-ways. Any seismic testing by vibrasise trucks (aka "thumper trucks") is considered high frequency, high impact truck traffic.

BOND: A commercial bond to ensure that the condition of the town roads impacted by high frequency, high impact truck traffic is left in as good or better condition at the completion of the project as they were at the start of the project.

ROAD PRESERVATION LOCAL LAW WORKSHEET (Appendix A): Worksheet is to be completed by hauling contractor or project sponsor, summarizing the project, project location, start and completion dates, expected max gross vehicle weights used for the project, proposed truck routes, and any other items that the Town Highway Superintendent deems necessary.

PRELIMINARY BOND RELEASE: A bond release given by the Town Highway Superintendent based on satisfactory road conditions at project completion.

FINAL BOND RELEASE: Final release of the Bond by the Wolcott Town Board.

Section 4: General Provisions.

A. Prior to the start of any project that involves high frequency, high impact truck traffic that could have an impact on the Town right-of-ways, a permit must be obtained. A bond amount shall be determined by the Town Board and will be listed on the fee schedule on file with the Wolcott Town Clerk. The amount of the bond may be changed by the Town Board by Resolution. A completed Road Preservation Local Law (RPLL) Worksheet (Attachment A), available from the Town Clerk or Town Highway Superintendent, must be submitted to the Highway Superintendent.

B. The Highway Superintendent will decide if the scope of work is such that a Bond is required. If no Bond is needed, the RPLL worksheet is approved by the Superintendent and becomes a Work Permit.

C. If the Highway Superintendent determines that a Bond is required, the bond must be paid to the Town of Wolcott and remitted to the Town Supervisor. The Worksheet will then be approved by the Highway Superintendent and becomes the Work Permit.

D. Upon issuance of the Work Permit and prior to commencement of the work, the hauling contractor or project sponsor will arrange for video documentation of condition of the roads, shoulders, and all structures (culverts, bridges, etc.) that will be traversed by the permitted traffic. The video documentation will be conducted by an independent third party and will be submitted to the Town Supervisor prior to commencement of the work. Video documentation will also occur monthly and within two weeks of the conclusion of the permitted work. All video documentation will be submitted to the Town Supervisor within one week of recording. Failure to submit the required video documentation will result in immediate revocation of the Work Permit.

E. Upon completion of the project, the hauling contractor or project sponsor will apply to the Highway Superintendent for a Preliminary Bond Release. Upon inspection of the work site, as necessary, the Highway Superintendent may approve the release of the Bond. If the release is not approved, the Superintendent will specifically document the tasks that must be accomplished in order for the Bond to be released. In this case, the hauling contractor or project sponsor will remedy the specified problem(s) items and then reapply for a Bond Release. Final Bond Release must be approved by the Town Board for repayment of the Bond funds.

F. If the hauling contractor or project sponsor does not comply and operates outside the parameters as specified on the worksheet, any law enforcement officer or Code Enforcement Officer has the authority to shut down the project.

G. The hauling contractor or project sponsor will be responsible for the repair of any damages that occurs to the Town of Wolcott road right-of-ways, when a project proceeds without a proper permit.

Section 5. Seismic Testing Special Conditions.

The hauling contractor or project sponsor shall supply proof of insurance co-naming the Town of Wolcott with a minimum of $3 million liability insurance coverage. The Town shall be notified 30 days prior by the insurance company of termination of such coverage.

Section 6. Other Special Conditions.

A. In no event shall vehicles or equipment be parked or located outside the roadway boundaries nor block access by neighboring landowners.

B. Traffic will be maintained in accordance with the Uniform Traffic Control Manual and any traffic standards set forth in the Wolcott Town Code.

C. ~~No ATVs or Four-wheelers will be allowed to operate in or on the Town road or right-of-way.~~

D. The hauling contractor or project sponsor shall be responsible for any and all repairs of damages caused by their operation to any Town property.

E. This law applies to the entire duration of any project that induces high frequency high impact traffic, as defined above, for any single five-day interval of the project duration.

F. If any of these conditions are not met, the permit is automatically voided, and all work shall cease.

Section 7. Fees.

A non-refundable processing fee as depicted in the Town of Wolcott Fee Schedule, which may be amended from time-to-time by Resolution of the Town Board, shall be payable to the Town of Wolcott, and must accompany each Worksheet submitted to the Highway Superintendent or Town Clerk.

Section 8. Appeals.

Any hauling contractor or project sponsor shall have the right to appeal a decision of the Highway Superintendent to the Wolcott Town Board.

Section 9. Request for Variance.

Request for a variance from the standards set forth in this Local Law shall be made to the Wolcott Town Board in writing and shall contain the grounds on which the appellant is requesting the variance, including allegation on any facts on which the appellant will rely. Where the Wolcott Town Board finds that due to special circumstances of the particular case a waiver of certain requirements as stated in Section 4 is justified, then a variance may be granted. No variance shall be granted, however, unless the Town Board finds and records in its minutes that: (a) granting the variance would be keeping the intent and spirit of this Local Law and is in the best interest of the community, (b) there are special circumstances involved in the particular case; (c) denying the variance would result in undue hardship to the applicant, provided that such hardship has not been self-imposed; and that (d) the variance is the minimum necessary to accomplish the purpose.

Section 10. Enforcement, Penalties for Violation(s).

This local law shall be enforced by the Town Code Enforcement Officer, Building/Zoning Officer, or by state, county and local police officers.

A violation of this chapter shall be punishable as a violation by a fine not to exceed $1,000 per each day that the hauler or project sponsor is determined to have operated without appropriate Town approval, or by imprisonment for a period not to exceed 15 days per each day of violation, or both. In addition, the Town Board and Code Enforcement Officer shall have such other remedies as are provided by law to enforce the provisions of this chapter, including but not limited to, injunctive relief and/or revocation of any special use or work permits.

Section 11. Invalid Segment.

Should any section or provisions of this Local Law contained herein or as amended hereafter be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Local Law as a Whole or any part thereof-other than the part declared to be invalid.

Section 12. Effective date.

This article shall become effective upon being filed in the office of the Secretary of State.

On Roll Call Vote - Chatfield "YES", Ellis “YES", Youngman "YES",

Brown "YES". Aldrich “YES”.

FAMILY PROMISE – Yvonne explained the Family Promise program to the Town Board and stated that 100% of funds raised go back into the County. They stated how many shelter families they have at the moment but would like to expand. Village of Red Creek representative asked a question about finding families; Yvonne explained the process of finding and leaving the program. Julie asked a few questions; Yvonne answered. Lynn asked if there’s anything the Town could do to help the program; Yvonne replied.

GENERAL CORRESPONDENCE –

1. Association of Town Regional Roundtable session in Sodus.

A motion was made by Adam Ellis, seconded by Julie Aldrich, to accept the minutes of June 18, 2024, departmental reports, and general correspondence.
VOTE – AYES__5__ NAYS__0__.

ABSTRACT OF CLAIMS –

GENERAL ACCOUNT - Claims #195 thru #236 - total - $16,652.19
HIGHWAY ACCOUNT - DA Town wide & DB Outside - total - $152,403.05

A resolution was presented by Adam Ellis, moved by Dan Youngman, seconded by Jorden Brown “Be it RESOLVED to pay General, and Highway account claims as presented.”
VOTE - AYES__5__ NAYS__0__.

ASSESSOR/SUPERVISOR'S CLERK - Amber Roberts

1. RESOLUTION #31-24 AUTHORIZING THE SUPERVISOR’S CLERK TO MOVE THE GENERAL CHECKING AND HIGHWAY CHECKING INTO HIGHER YEILDING MONEY MARKET CHECKING ACCOUNTS AT LNB -

A resolution was presented by Dan Youngman, moved by Jorden Brown, seconded by Julie Aldrich,

WHEREAS, our General Checking and Highway Checking accounts are currently in low yielding interest accounts; and
WHEREAS, it was suggested by our Supervisor’s Clerk to move the Checking Accounts into higher yielding interest accounts to be more fiscally responsible; and
WHEREAS, the Board concurs with the Supervisor’s Clerk suggestion,

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

RESOLUTION – (cont'd)

NOW THEREFORE, BE IT RESOLVED, to allow the Supervisor's Clerk to move the General Checking and Highway Checking into higher yielding money market checking accounts at Lyons National Bank in Wolcott, NY.

VOTE - AYES__5__ NAYS__0__.

HIGHWAY – Zach Decker

1. The Highway needs a new Salt Barn.
2. They have been doing road work and paving.
3. The Highway employees have regraded the old gravel bed on Cemetery Road again.

CODE ENFORCEMENT OFFICER – Ray Hauss

1. Ray said the regular building permits to date are up to 40.

TOWN CLERK - Jessica Freer

1. Jessica met with Matt Evans for an initial concept.

SUPERVISOR - Lynn Chatfield

OLD BUSINESS -

1. Land Use Code – Economic Development is working on this.

2. Building Maintenance – Power washed last week; Wi-Fi updated today.

3. Handbook – A motion was made by Dan Youngman, seconded by Jorden Brown to adopt the draft employee handbook as the employee handbook. VOTE - AYES__5__ NAYS__0__.

4. Blind Sodus Bay Water District – Lynn has been working with DEC, they approved it for construction; MRB will start getting the petition paperwork ready again. The NBRC Grant Julie worked on was turned down, waiting for debriefing before the second round of grants. Joe Sovie asked about the water samples and if they were sent in; Lynn replied saying and they still turned it down.

5. Salt Barn – Waiting for the next email before moving forward

6. Barrier Bar Status – Wayne County Soil and Water is working on permitting with other agencies.

NEW BUSINESS –

1. 2024 Weed Harvesting Contract.

RESOLUTION #32-24 AUTHORIZING SUPERVISOR TO SIGN AGREEMENT WITH WAYNE COUNTY REGARDING DISBURSEMENT OF FUNDS FOR 2024 WEED HARVESTING IN PORT BAY AND BLIND SODUS BAY -

The following resolution was presented by Adam Ellis, moved by Jorden Brown, seconded by Julie Aldrich,

WHEREAS, the Town realizes the economic value our waterfront property and communities contribute to our Town tax base; and

WHEREAS, the Town Board also realizes the environmental quality of our embayment's must be maintained; and

WHEREAS, the Town Board acknowledges the recreational value and quality-of-life value the embayment's contribute to our citizens; and

WHEREAS, the Town of Wolcott desires to be a good steward of our embayment's;

NOW, THEREFORE, BE IT RESOLVED, the Supervisor is authorized to sign an agreement with Wayne County contributing $2,000.00 to this effort to pool with other contributions from the Town of Huron for $9,000.00, the Town of Sodus for $4,000.00 and the County of Wayne for $15,000.00 for 2024.

VOTE - AYES__5__ NAYS__0__.

The next regular meeting of the Wolcott Town Board will be held August 20, 2024, at 6:00 PM at the Town Hall.

A motion was made by Dan Youngman, seconded by Jorden Brown, to adjourn the meeting at 6:41 PM.

Respectfully submitted,

Jessica Freer
Town Clerk