VILLAGE OF WOLCOTT

BOARD OF TRUSTEES

VILLAGE HALL CONFERENCE ROOM

DEPARTMENT HEAD MEETING

June 14, 2022

7:00 pm

Members Present: Mayor Chris Henner, Trustees: Dave Lewis, Andrew Marshall

Members Absent: Trustees Dan Smith and Misty Harper

Others Present: Fran Acker, Ed Wazinski, Jerry Lasher, Toni M. Kellam, Nick Rizzo, Pete Gillette, Ron Lancy and Mary Ann Roberts.

Mayor Henner called the meeting to order at 7:00 pm with the Pledge of Allegiance.

**6343 EPB Road**

Resident at 6343 East Port Bay Road presented pictures and stated how the snow plow tears up the lawn by the road each year and they feel the attempt at fixing it is not satisfactory. Mayor Henner stated some valid points were mentioned and asked that concerns be brought to the board to address not directly to employees. The Mayor stated the Village Board will continue to discuss the issues with the highway department.

**Fire Department-Jerry Lasher**

Chief Lasher provided the 911 report for May 2022.

The newest rescue truck is now in service and truck #32 is out of service.

Chief Lasher is tracking truck activity as part of the fire truck grant.

The Village of Wolcott did get awarded 12 additional months in the grant, but this comes with more paperwork.

**Police Department-OIC Brian Ritchie-Absent**

**Highway Department- Nick Rizzo**

Mr. Rizzo presented the board a recommendation to shim West Port Bay Road with 400 ton asphalt from Riccelli Northern using CHIPS funds. Trustee Marshall made a motion to approve the recommendation. Trustee Lewis 2nd the motion. All present voted in favor.

Mr. Rizzo reported everything else with the Highway Department is doing fine.

**Sewer Department-Tommy Mettler-absent**

**Water Department-Ed Wazinski**

Mr. Wazinski mentioned a water leak on Lake Ave that was being addressed.

Ed Wazinski has been working on the water loss issues for 5 Residents on the Thrush Road master meter and billing/software issues in recent billing cycles. Mr. Wazinski has narrowed now the issue and recalculated the usage. 5 residents on Thrush Road should have a credit on the next billing cycle in September. Trustee Marshall made a motion to approve a credit to the 5 Thrush Road customers provided to the Water Clerk by Water Department Head Wazinski, not to exceed $12.00 per customer. Trustee Lewis 2nd the motion. All present voted in favor.

The Landlord/owner of Account 27000 spoke with Mr. Wazinski regarding June high water bill due to ROM not working correctly and meter being estimated until recently. The tenants were aware that an actual read was done at the last billing cycle and this caught the consumption/billing up. Water went through the meter, therefore, the billing is correct and no credit is due back. ROM issue has been fixed.

Account #05465 has been receiving 2 water/sewer billing units. During a recent inspection by the Codes Department, it was confirmed there are 3 separate units, (2 apartments and 1 business). Clerk Acker and Water/Sewer Clerk Kellam made the owner aware it would need to be confirmed with the Department Heads of water and sewer and The Village Board that a 3rd billing unit should be added according to the Village ordinance. All departments and Village Board confirmed a 3rd billing unit needs to be added. Deputy Clerk Kellam will add for the next billing cycle.

Clerk-Treasurer Acker made the board and the departments aware the owner of account #12191 paid for water service abandonment.

**Court Audit**

Trustee Marshall made the motion to accept and approve the April 2022 Court Audit. Trustee Lewis 2nd the motion. All present voted in favor.

Trustee Marshall made the motion to accept and approve the May 2022 Court Audit. Trustee Lewis 2nd the motion. All present voted in favor.

**Village Clerk-Treasurer-Fran Acker**

Clerk-Treasurer Acker provided a report to show FY2022/2023 taxes collected to date = $113,353.34.

**Meeting Minutes**

Trustee Marshall made the motion to accept and approve the minutes from the May 24, 2022 meeting. Trustee Lewis 2nd the motion. All present voted in favor.

Trustee Marshall made the motion to accept and approve the minutes from the May 31, 2022 Fiscal Year End meeting. Trustee Lewis 2nd the motion. All present voted in favor.

**Abstract #001**

Trustee Marshall made the motion to approve Abstract #001 in the amount of $42,218.74, with vouchers numbered 1-34 and checks numbered 31396-31429. Total claims from the General Fund are $24,145.42. Total claims from the Water Fund are $6,429.36. Total claims from the Sewer Fund are $11,643.96. Trustee Lewis seconded the motion. All present voted in favor.

**Resolution 2022-5**

**Resolution 2022-5**

**Sign Variance: Corner of EPB Road and Oswego Street**

**Introduced by Trustee Andrew Marshall:**

**Whereas,** the Village Board of the Village of Wolcott General Legislation/Zoning Article IV of District Regulations; Section §160-16 of the Supplementary Regulations permit signs in a Residential District:

When: In a residential district.

[**[a]**](https://ecode360.com/14548454#14548454)Any sign permitted in land conservation districts.

[**[b]**](https://ecode360.com/14548455#14548455)One bulletin board not exceeding eight square feet in area for a church or other institutional use.

[**[c]**](https://ecode360.com/14548456#14548456)One home occupation sign not exceeding two square feet in area per dwelling.

[**[d]**](https://ecode360.com/14548457#14548457)Temporary special event signs on the premises of a special event sponsored by a church or other nonprofit institution not exceeding eight square feet in combined area.; and

**Whereas,** A request to update the signage and allow other business owners to advertise was received to approve a variance to the aforesaid General Legislation/Zoning Regulation to allow the owner (D.Zwolinski) of the lot at the corner of East Port Bay Road and Oswego Street to construct signs the same height as the previous signs. Not to exceed 3’ X 10’ and expected to be maintained or removed. Property maintenance will be maintained. and

**Now therefore, be it resolved that** the Village Board of the Village of Wolcott has determined by Village Board Resolution to approve the proposed variance with the following revision to the proposal: businesses on East Port Bay Road only and SOS Roofing can post on the signs.

**Whereas,** a vote was taken by the Village Board on May 31, 2022 to accept the proposal to be moved to a resolution once plans are submitted.

Adopted by the following vote:

Ayes: Mayor Henner, Trustees: Andrew Marshall and Dave Lewis

Absent: Trustees: Dan Smith and Misty Harper

Nays: None

Office of the Village Clerk

Village of Wolcott

County of Wayne

I hereby certify that I have compared the foregoing copy of a resolution with the original duly adopted by the above mentioned Board at a meeting held on the 14th day of June, 2022 and that the same is a true copy of said original and of the whole thereof.

In Witness Whereof, I have hereunto subscribed my name and affixed the official seal of the said Board, this 14th day of June, 2022.

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Village Clerk

**Resolution 2022-6**

**Resolution 2022-6**

**RETAIL AND COMMERCIAL CANNABIS FOR THE VILLAGE OF WOLCOTT**

**Introduced by Mayor Henner:**

**WHEREAS**, On March 31, 2021, Governor Cuomo signed into law Chapter 92 of the Laws of 2021.  Known as “the marihuana regulation and taxation act” (MRTA), this legislation was enacted with the stated purpose of creating a regulated and taxed cannabis industry in New York and to provide for social and economic justice related to the sale and use of cannabis.  While the MRTA legalizes the possession and use of cannabis immediately, the actual sale of adult‐use cannabis is not expected to begin until late 2022 or early 2023; and

**WHEREAS,** Municipalities can determine where the sale and use of cannabis can be allowed**; and**

**WHEREAS,** in accordance with Chapter 92 of the Laws of 2021;Every City, Town and Village had to either opt in or out by December 31, 2022**; and**

**WHEREAS,** on December 14, 2021 the Village Board voted by quorum to opt inallowing retail cannabis dispensaries and/or on-site cannabis consumption establishments**; and**

**WHEREAS,** The Village of Wolcott has opted into the cannabis process for the State of New York and Wayne County. The current process is as follows: in which this resolution for the next 3 years is for dedicated areas and factors for medical, commercial and dispensaries of cannabis within the village limits. The current location for commercial processing remains the same status as approved at the old Electromark location on West Port Bay Road and for a retail or whole sale dispensary. Let it be known the only locations approved would be commercial locations limited to (2) on East Main Street squared off to New Hartford Street, Park Lane and Jefferson Street, in which the approved location must have had a previous license to sell tobacco products and is in good standing with New York State and the Department of Health and is or was a privately held business, corporation or LLC and not a chain store. (IE) Dollar General, Family Dollar, etc.

Adopted by the following vote:

Ayes: Mayor Henner, Trustees: Dave Lewis and Andrew Marshall

Absent: Trustees: Dan Lewis and Misty Harper

Nays: None

Office of the Village Clerk

Village of Wolcott

County of Wayne

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Village Clerk

**Mayor Henner**

**Surplus Vehicles – Sealed Bids**

Sealed Bids for surplus vehicles were due by 5:00 pm on Tuesday June 14, 2022.

Mayor Henner opened the bids that were received:

Bids for the 2009 Ford Ranger:

Shawn Wells $ 505.00

Ed Wazinski $1,257.00

Anthony Patt, Jr $ 900.00

Nora Torrice $ 735.00

Bids for the 2011 Crown Vic:

Shawn Wells $ 605.00

Skip Kyle $ 500.00

Nora Torrice $1,559.00

Sal Bellone $ 800.00

Anthony Carr $1,350.00

This will be discussed further in executive session.

**Trustee Harper-absent**

**Trustee Marshall**

Nothing at this time.

**Trustee Smith-absent**

**Trustee Lewis**

Trustee Lewis mentioned further possible electric vehicle charging sights were being reviewed.

**Executive Session**

Trustee Marshall made the motion to move the meeting into executive session at 8:37 pm to discuss a contractual and personnel matter. Trustee Lewis seconded the motion. All present voted in favor. Clerk-Treasurer Acker was asked to stay.

Trustee Marshall made the motion to move the meeting back to open session at 8:55 pm. Trustee Lewis 2nd the motion. All present voted in favor.

Trustee Marshall made the motion to accept Aaron Springer’s resignation as part-time police officer effective immediately. Trustee Lewis 2nd the motion. All present voted in favor.

Trustee Marshall made the motion to accept Nora Torrice’s bid of $1,559.00 for the 2011 Crown Vic. and Ed Wazinski’s bid of $1,257.00 for the 2009 For Ranger. Trustee Lewis 2nd the motion. All present voted in favor.

Trustee Marshall made the motion to adjourn the meeting at 8:57 pm. Trustee Lewis 2nd the motion. All present voted in favor.

The next regularly scheduled Village Board of Trustees Meeting will be held on July 12, 2022 at 7:00pm in the Village of Wolcott Conference Room.

Respectfully Submitted,

Fran Acker

Fran Acker

Clerk-Treasurer