VILLAGE OF WOLCOTT

BOARD OF TRUSTEES

VILLAGE HALL CONFERENCE ROOM

DEPARTMENT HEAD MEETING

April 25, 2023

7:00 pm

Members Present: Mayor Chris Henner, Trustees: Dave Lewis, Dan Smith, Andrew Marshall, and Misty Harper

Others Present: Fran Acker, Toni Kellam, OIC Brian Ritchie, Ed Wazinski, Jerry Lasher, Tommy Mettler, Sharon Mastrangelo, Larry Mastrangelo, Rosa Fox, Kara Chapin, Susan Russo, Richard Russo, Gary Mettler, Tonia Smith, Morgan Smith, Brandy Starczewski, Karli Starczewski, Eva Banas-Duncan, Jenny Banas, Ron Lancy, Marissa Finewood, Eva Winter, and A. Wood.

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

**Sharon and Larry Mastrangelo Dylan Briggs dog complaint**

Mr. and Mrs. Mastrangelo live on Countryman Road in the Village and Dylan Briggs lives outside the Village limits in the Town of Butler. Mr. Briggs dog has gotten loose numerous times over the last several years and has wandered into the yards of residents on Countryman Road, creating problems for Village residents. Most recently it has scared Mr. and Mrs. Mastrangelo’s small grandson. Both the Village of Wolcott and the Town of Butler’s animal control officers have been involved, Village of Wolcott police and other police agencies and Humane Societies, but the dog continues to get loose and remains intimidating and a nuisance. Each municipality claims it is the other’s issue to deal with. Since the most recent incident on April 11 and this board meeting, Mayor Henner has reached out to Gary Mettler, Village of Wolcott Animal Control officer and Tommy Mettler, Town of Butler Supervisor to get more details and possible resolution. Animal Control has a right to take the dog if it is not licensed. Supervisor Mettler discovered there is an upcoming court date for Mr. Briggs regarding this issue. It was recommended the Mastrangelo’s fill out a dangerous dog report and appear at the Town of Butler Court date. Supervisor Mettler is also taking a copy of the Wayne County Laws to Dylan Briggs that was provided by Mr. and Mrs. Mastrangelo. Mayor Henner, OIC Ritchie, Butler Supervisor T.Mettler and Wolcott Animal Control Officer G.Mettler agreed to work together to take aggressive action on this matter.

**Eva Winter-Food Trucks/Old Wolcott Heritage Festival**

Eva Winter was very stern and pointed about food truck fees and the Village of Wolcott not allowing them in the Old Wolcott Heritage/Strawberry Festival. She had posted on Facebook that the Village of Wolcott was also leaving out neighboring Wayne County villages/towns for the bicentennial festival. Mayor Henner, Rosa Fox-the (lead Chair) and Kara Chapin who are few of the many members of the Old Wolcott Heritage Festival tried to re-itinerate by responding to the Facebook post that there is a committee running the festival, NOT the Village of Wolcott. Rosa Fox explained that it was discussed during festival meetings to encourage not for profits to sell food in an effort for them to raise money for their organizations, in addition, after some dialog from Mrs. Winter towards Kara that was unnecessary, Kara did apologize that she was new to taking minutes when committee meeting minutes were brought up by Eva that there was no mention of the food trucks not being participants when in fact it was discussed and agreed upon, Mrs. Winter continued somewhat heated that she felt she received conflicting information from the Village Hall regarding fees for Food Trucks to set up in the Village. She claimed one owned in Sodus called the office and felt they were handled poorly. Clerk Acker explained that particular vendor never called the office and was only corresponded to by email. They asked about doing private events. (Attached to these minutes.) Mayor Henner did confirm messaging with the food truck owner Abby Hogan and explaining details of the Old Heritage Festival and did apologize for the misinformation from Henry as she had not attended any meetings. He said the conversation went very well. A second food truck vendor did speak with Clerk Acker and received the Old Heritage application and it was explained that Kara Chapin was handling vendors. (Email attached to minutes). Several times Mayor Henner tried to explain and said there has been no changes to the policy since March 2022 and October 2022 and further explaining to Eva Winter the difference in fees was those vendors from outside of the Village of Wolcott operating on village streets, parks etc. and as non - event participants, or private caterers, are considered “peddlers” therefore, fall under the peddler permit fees. Village of Wolcott property owners fall under operating permit. Eva Winter said she didn’t know what the peddler’s info was and Clerk Acker tried to explain it was sent when her employee, Karli Starczewski asked for Food Truck information on Eva’s behalf back in July 2022. Clerk Acker printed off the correspondence between Ms. Starczewski and Mrs. Acker and gave a copy to Mrs. Winter since Eva still stated it had nothing to do with Karli and Eva knew nothing about it. Mrs. Winter went back and forth in conversation between the festival, and fees. As others tried to comment, she loudly told them to “shut-up” and stated this is my time as I asked to be on the agenda. She stated she didn’t want to talk about the festival but yet kept going back to the festival. Also said she didn’t post anything negative on Facebook, but when Mayor Henner and others referenced the post, Mrs. Winter said it was just to bring people to the meeting. Mayor Henner tried to explain that the village is the insurance holder for this event for village tourism, and that other organizations, such as the Chamber of Commerce now inactive, Lions Club, Rotary churches, etc. have come together for the festivals and they set fees, if any. He explained unfortunately there is no longer a Chamber, and other groups are losing volunteers. Rosa Fox invited Eva Winter to the next festival meeting which received the response” If I have time. We younger people are too busy with jobs and families”. Rosa made Eva aware older people are busy too but to make things happen everyone needs to pitch in. Mrs. Winter left still seeming agitated but not before Rosa Fox again invited her to the next Old Wolcott Heritage Festival. Mayor Henner said several times that he wants to resolve this issue with Mrs. Winter and proposed she try to get the Chamber of Commerce started again for community events and interaction. She left responding not if there is a charge for outside food trucks of $250.00. I will just go to Sodus! Mayor Henner did state the Village Board is working with the Village Attorney and more changes could be coming to the food truck/vendor topic with much more depth.

**Fire Department-Chief Jerry Lasher**

See attached report.

Pete Gillette and Trustee Marshall are working on overhead alarms.

**Police Department-OIC Brian Ritchie**

See attached report.

**Highway Department-Nick Rizzo-absent**

**Sewer Department-Tommy Mettler**

No more red warning light on pump due to pinch valve failure on WCWSA pump. The pinched valve was repaired. Evoqua repaired the Bioxide pump today.

Everything else is running good.

**Water Department-Ed Wazinski**

Fluoride pump is down. A new one is ordered and is installed.

Chris Breen from the highway department helped in the wet well.

Casters will be out this week.

**2022 Annual Drinking Water Quality Report**

Trustee Smith made the motion to accept the 2022 Annual Drinking Water Quality report. Trustee Harper 2nd the motion. All present voted in favor.

**Code Enforcement**

$2,400.00 funds received for violations at 12019 Main Street.

**March 2023 Court Audit**

Trustee Smith made the motion to accept and approve the March 2023 Court Audit. Trustee Marshall 2nd the motion. All present voted in favor.

Trustee Smith made a motion to accept and approve annual court audit letter from Justice Miller and Associate Justice Wachtman to be performed by Clerk Acker pursuant to Section 2019-a of the Uniform Justice Court Act. This will take place after fiscal year end May 31, 2023. Trustee Harper 2nd the motion. All present voted in favor.

**Village Clerk-Treasurer**

Cybersecurity grant reimbursement in the amount of $11,150.75 was received.

Colonial Life Benefits package and census was tabled.

The board reviewed the Procurement Policy. No changes were made. Trustee Smith made the motion to approve the Procurement Policy. Trustee Marshall 2nd the motion. All present voted in favor.

**Meeting Minutes**

Trustee Smith made the motion to accept and approve the minutes from the April 10, 2023 Budget Workshop. Trustee Lewis 2nd the motion. All present except Trustee Misty Harper voted in favor. Trustee Harper abstained because she was absent from the workshop.

Trustee Smith made the motion to accept and approve the minutes from the April 11, 2023 Organizational Meeting. Trustee Lewis 2nd the motion. All present except Trustee Misty Harper voted in favor. Trustee Harper abstained because she was absent from the meeting.

Trustee Smith made the motion to accept and approve the minutes from the April 11, 2023 Public Hearing. Trustee Lewis 2nd the motion. All present except Trustee Misty Harper voted in favor. Trustee Harper abstained because she was absent from the hearing.

Trustee Smith made the motion to accept and approve the minutes from the April 11, 2023 Meeting. Trustee Lewis 2nd the motion. All present except Trustee Misty Harper voted in favor. Trustee Harper abstained because she was absent from the meeting.

**Treasurer’s Report**

Trustee Smith made the motion to accept the March 2023 Treasurers report and financials. Trustee Lewis 2nd the motion. All present voted in favor.

**Resolutions**

**Resolution No. 2023-6**

**Village of Wolcott**

**Fair Housing Policy Prohibiting Discrimination in Housing**

**Section One**

Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18), and disability.

The People of the State of New York have in the New York State Constitution, Article IX, Section 2,   
delegated the responsibility to local government units to adopt regulations designed to promote the   
public health, safety and general welfare of its citizenry. Therefore, be it enacted by the Village Board of the Village of Wolcott, Wayne County, New York, as follows.

**Section Two**

Purpose

For the purpose of providing and ensuring fair housing opportunities for all within the jurisdiction of the Village of Wolcott, the Village Board hereby prohibits discrimination on the basis of sex, race, creed, age, familial status, color, national origin, religion, disability (physical or mental), sexual orientation, marital status, military status or victims of domestic or dating violence in the sale, rental, financing, or provision of brokerage services for housing within the jurisdiction of the Village of Wolcott.

**Section Three**

Lands to Which this Policy Applies

This policy shall apply to all areas within the jurisdiction of the Village of Wolcott.

**Section Four**

Affirmatively Furthering Fair Housing Actions

The Village of Wolcott will undertake the following actions to promote Fair Housing.

1. Display fair housing posters and distribute fair housing materials prepared by New York State, the municipality, U.S. Department of Housing and Urban Development (HUD), or fair housing organizations to community residents, landlords, real estate professional and lenders;
2. Hold an annual public meeting to address fair housing issues and obtain community input:
3. Elected officials, municipality staff in charge of planning, zoning, building, housing, community and economic development, and their third-party consultants attend and online fair housing training seminar;
4. The Village will designate the Village’s Clerk Treasurer to be act as the Fair Housing Officer and promote fair housing and prevent housing discrimination in the implementation of the Village’s housing program.

Adopted by the following vote:

Ayes: Mayor Chris Henner, Trustees Dave Lewis, Dan Smith, Andrew Marshall and Misty Harper

Nays: None

Office of the Village Clerk

Village of Wolcott

STATE OF NEW YORK )

COUNTY OF WAYNE )SS:

THIS IS TO CERTIFY, that I the undersigned Clerk of the Village of Wolcott, have compared the foregoing copy of resolution with the original resolution now on file in my office, and which was passed by the Village Board of the Village of Wolcott on the 25th day of April, 2023, a majority of all the Board Members voting in favor thereof, and that the same is a correct and true transcript of such resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Village of Wolcott this 25th day of April, 2023.

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Fran Acker, Village Clerk

**Resolution No. 2023-7**

**SECTION 504 GRIEVANCE PROCEDURE**

It is the policy of the Village of Wolcott not to discriminate on the basis of disability. The Village has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) of the U.S. Department of Health and Human Services regulations implementing the Act.  Section 504 prohibits discrimination on the basis of disability in any program or activity receiving Federal financial assistance. The Law and Regulations may be examined in the office of the Village Clerk Treasurer, 6015 New Hartford Street, Wolcott, NY 14590, (315) 594-9501, who has been designated to coordinate the efforts of the Village of Wolcott to comply with Section 504***.***

Any person who believes she or he has been subjected to discrimination on the basis of disability may file a grievance under this procedure. It is against the law for the Village of Wolcott to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.

**Procedure:**

* Grievances must be submitted to the Section 504 Coordinator within 10 days of the date the person filing the grievance becomes aware of the alleged discriminatory action.
* A complaint must be in writing, containing the name and address of the person filing it. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought.
* The Section 504 Coordinator (or her/his designee) shall conduct an investigation of the complaint. This investigation may be informal, but it must be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint. The Section 504 Coordinator will maintain the files and records the Village relating to such grievances.
* The Section 504 Coordinator will issue a written decision on the grievance no later than 30 days after its filing.
* The person filing the grievance may appeal the decision of the Section 504 Coordinator by writing to the Village Board of Trustees within 15 days of receiving the Section 504 Coordinator’s decision. The Village Board of Trustees shall issue a written decision in response to the appeal no later than 30 days after its filing.
* The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination on the basis of disability with the U. S. Department of Health and Human Services, Office for Civil Rights.

The Village of Wolcott will make appropriate arrangements to ensure that disabled persons are provided other accommodations, if needed, to participate in this grievance process. Such arrangements may include, but are not limited to, providing interpreters for the deaf, providing taped cassettes of material for the blind, or assuring a barrier-free location for the proceedings. The Section 504 Coordinator will be responsible for such arrangements.

Adopted by the following vote:

Ayes: Mayor Chris Henner, Trustees Dave Lewis, Dan Smith, Andrew Marshall and Misty Harper

Nays: None

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Village of Wolcott

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Fran Acker, Village Clerk

**Resolution No. 2023-8**

**MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES –**

**EQUAL OPPORTUNITY POLICY STATEMENT**

**M/WBE AND EEO POLICY STATEMENT**

The Village of Wolcott agrees to adopt the following policies.

**MWBE:**

This organization will and will cause its contractors and subcontractors to take good faith actions to achieve the M/WBE contract participations goals set by the State for that area in which the State-funded project is located, by taking the following steps:

1. Actively and affirmatively solicit bids for contracts and subcontracts from qualified State certified MBE’s or WBE’s, including solicitations to M/WBE contractor associations.
2. Request a list of State-certified M/WBE’s from Agency(ies) and solicit bids from them directly.
3. Ensure that plans, specifications, request for proposals and other documents used to secure bids will be made available in sufficient time for review by prospective M/WBE’s.
4. Where feasible, divide the work into smaller portions to enhance participations by M/WBE’s and encourage formation of joint venture and other partnerships among M/WBE contractor to enhance their participation.
5. Document and maintain records of bid solicitation, including those to M/WBE’s and the results thereof. Contractor will also maintain records of actions that its subcontractors have taken toward meeting M/WBE contract participation goals.
6. Ensure that progress payments to M/WBE’s are made on a timely basis so that undue financial hardship is avoided, and that bonding and other credit requirements are waived or appropriate alternatives developed to encourage M/WBE participation.

**EEO:**

1. This organization will not discriminate against any employee or applicant for employment because of race, creed, color, national origin, sex, age, disability or marital status, will undertake or continue existing programs of affirmative action to ensure that minority group members are afforded equal employment opportunities without discrimination, and shall make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force contracts.
2. This organization shall state in all solicitation or advertisements for employees that in the performance of the State contract all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.
3. At the request of the contracting agency, this organization shall request each employment agency, labor union, or authorized representative for a statement that it will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of this organization’s obligations herein.
4. Contractor shall comply with the provisions of the Human Rights Law, all other State and Federal statutory and constitutional non-discrimination provisions. Contractor and subcontractors shall not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status, and shall also follow the requirements of the Human Rights Law with regard to non-discrimination on the basis of prior criminal conviction and prior arrest.
5. This organization will include the provisions of sections (a) through (d) of this agreement in every subcontract in such a manner that the requirements of the subdivisions will be binding upon each subcontractor as to work in connection with the State contract.

Adopted by the following vote:

Ayes: Mayor Chris Henner, Trustees: Dave Lewis, Dan Smith, Andrew Marshall and Misty Harper

Nays: None

Office of the Village Clerk

Village of Wolcott

STATE OF NEW YORK )

COUNTY OF WAYNE )SS:

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Fran Acker, Village Clerk

**Facilities Use Request**

Trustee Smith made the motion to approve use of Fire Hall on April 29, 2023 from 12-5pm by J. Wolleck. This has been approved by Chief Lasher and Bob Lockwood. Trustee Lewis 2nd the motion. All present voted in favor.

**Mayor Henner**

Town of Wolcott Solar Law Adoption-A copy will be sent to Tom Sawtelle, Code Enforcement Officer. Topic was tabled.

Mayor Henner had a meeting with Matt Horn at MRB. Each community is trying to identify rentals, high/low income, and number of vacancies.

The Mayor met with Todd from Evoqua regarding the numbers and the additional chemicals with the Port Bay project.

**Trustee Harper**

Trustee Harper said she noticed a branch that needs trimming at Dr. Chan’s Garden.

**Trustee Marshall**

Trustee Marshall is working on obtaining estimates for painting the Village Hall and the Northrup Park Gazebo.

**Trustee Smith**

Nothing at this time.

**Trustee Lewis**

Trustee Lewis has spoken with Colacino Industries and information on the grant should be out in May.

**Time for the Public**

Donna Graham inquired on ARPA funds. Mayor Henner stated proposed use has been $15,000 towards the new Fire Truck, use towards a dog park, to update the playground and an EV charging station.

Kara Chapin-Historian provided an update on the Wayne County Historian meeting. Red Creek is working on a mural with a scheduled unveiling Saturday April 29 at the Opera House.

The Village Board thanked her for all her efforts with the Old Wolcott Heritage Festival/Strawberry Festival.

**Executive Session**

Trustee Marshall made the motion to move the meeting into executive session at 9:09pm for a personnel matter. Trustee Harper 2nd the motion. Clerk-Treasurer Acker was asked to stay. Trustee Marshall made the motion to move back to regular session at 9:42pm. Trustee Smith 2nd the motion.

Trustee Marshall made the motion to adjourn the meeting at 9:43 pm. Trustee Smith 2nd the motion. All present voted in favor.

The next regularly scheduled Village Board of Trustees Meeting will be held on May 9th, 2023 at 7:00pm in the Village of Wolcott Conference Room.

Respectfully Submitted,

Fran Acker

Fran Acker

Clerk-Treasurer