

Scottsville, New York  
April 6, 2023

Regular Town Board Meeting held April 6, 2023, at 6:00 P.M. at the Wheatland Municipal Building, Scottsville, New York.

Present: Supervisor Linda Dobson  
Councilman Howard Hazelton  
Councilman Edward Shero

Absent: Councilman Tim Davis  
Councilman Carl Schoenthal

Recording Secretary: Laurie Czapranski, Town Clerk

Also Attended: Mike Bonanza, Assessor  
Josh Davis, Highway Superintendent  
Ray DiRaddo, Attorney for the Town  
Shanna Fraser, Recreation & Senior Center Coordinator  
Jeremy Nardone, Budget Officer  
Terry Rech, Building Inspector

Supervisor Dobson presiding.

Pledge of Allegiance to the Flag.

Roll Call. All Town Board Members present, except Councilman Davis and Councilman Schoenthal.

**Approval of Minutes:**

On a motion of Councilman, Shero seconded by Councilman Hazelton and unanimously carried, the minutes of March 2, 2023, were approved.

**Public Before the Board**

None

**Supervisor's Report:**

- Thank you to Renee Smith, Deputy Town Clerk, for submitting the certified payroll. The response back was that there were no deficiencies.
- Thank you to Terry Rech, Building Inspector for sending a letter regarding a vehicle that had been sitting in the Municipal parking lot for 4 months and subsequently was removed.
- Coordinated and attended Legislator Brew's office hours in the Municipal Building.
- Met with a Wheatland Chili School Board Member regarding the frequency of accidents at North Road and Rt. 383.
- Wrote a letter of support for the Village 2023 Trail Towns grant.
- Attended Monroe County Supervisor's Association meeting with discussion on the NYS housing legislation in addition to the County dog kennel plans.

There will be one additional agenda item and the Executive Session will be changed to an open discussion during this meeting.

**Department and Board Reports (Submitted previously or herewith):**

1. Town Clerk report, March.
2. Highway, March.
3. Recreation Meeting, March.
4. Building Inspector, March.
5. Fire Marshal report, March.
6. Budget Officer report, March.
7. Dog Control report, March.
8. Senior Center report, March.

## 9. Town Attorney, March.

All Department Heads reported on activity during March.

Laurie Czapranski, Town Clerk mentioned attending the Monroe County Town Clerks meeting with a presentation by Frank Kapusta of M&T Bank on payment fraud and risk management.

Josh Davis, Highway Superintendent reported that the Dog Control Officer had been in an accident on Rt. 383 and Union Street when a vehicle pulled out in front of him. The Dog Control vehicle is a 2010 Ranger but he's hoping to be able to get it fixed. He also mentioned a light pole in Mumford at the corner of State St. and Rt. 36 which had been hit over the winter. He said that it would actually help with sight distance to not have the pole there and had reached out to Monroe County DOT and they were of the same opinion.

Mike Bonanza, Assessor reported that he has been finishing up his review of the current assessments and on average they are 25% under value. Letters will be sent indicating changes up or down after which the homeowner can meet with him to discuss the change in assessment. If they are still unsatisfied, they can have a formal review by the Board of Assessment Review on May 23<sup>rd</sup>.

Terry Rech, Building Inspector reported that the FLBOA Conference was a success. He mentioned that Sabin is updating their fire alarm system update so he and Jay Coates, Assistant Fire Marshal have been meeting with them. He also mentioned that Sabin has reached out to the DEC to see about a permit to clean up the log jam that residents have inquired about.

Shanna Fraser, Senior Center Coordinator reported that they had attended the High School play during March and had their Easter party this week.

### **Town Board Committee and Liaison Report:**

Councilman Shero commented that there wasn't a Planning Board meeting in April but there will be one in May.

### **Correspondence:**

1. Donald Clavin, Supervisor and Edward Ra, Assemblyman, Office of the Supervisor, Town of Hempstead, re: Information about Gov. Hochul's proposal for local zoning laws.
2. Supervisor Dobson, re: Support of the Village of Scottsville's grant application for improvements at Canawaugus Park.
3. Darryl Cady, American Legion to Town of Wheatland employees: re: Invitation to attend the Memorial Day parade.
4. Richard Comi, CMS to Supervisor Dobson and the Wheatland Town Board, re: Wheatland NY T-Mobile 1253 Riga-Mumford RD. Mod 2.
5. Supervisor Dobson to Mayor Ridge, re: Request for the Village to contribute to the rehabilitation and redesign of the municipal parking lot.
6. Supervisor Dobson to Bus America, re: Discrepancies in billing.

### **Old Business:**

None

### **New Business:**

Sue Marino of CMS was in attendance to address both T-Mobile modification and Dish Wireless colocation application submittals on the same cell tower at 1253 Riga-Mumford Road. She said that the insurance documentation for T-Mobile has been submitted and reviewed by CMS and has been found to be complete. She also mentioned that Crown Castle has committed to fixing the cracks in the tower foundation.

Whereas, it was moved by Councilman Hazelton seconded by Councilman Shero and unanimously carried,  
Resolution No. 73:

Town Board Resolution of Acceptance  
 Special Permit T-Mobile MOD 2

Whereas, the Town Board of the Town of Wheatland has received the attached recommendation from the Center for Municipal Solutions ( CMS) dated March 10,, 2023, wherein the application materials submitted for the facility of T-Mobile (Wheatland NY T-Mobile 1253 Riga-Mumford Rd MOD 2 ) prepared by Janet Spatafora on behalf of T-Mobile, and based upon the review and discussion of all the submitted materials required under the Town of Wheatland Local Law Number 3 of 2003, CMS 's finds that the material submitted has addressed the essential application requirements for a modification to an existing wireless telecommunications facility under the Local Law and CMS's further finding that the application is essentially complete and CMS's recommendation that this application be added to the Town Board's agenda.

Now there be it resolved, based upon the above referenced recommendation,

1. Town Board of the Town of Wheatland determines that this action is classified as a Type II action pursuant to N.Y.C.R.R., Part 617, the implementing regulations of the New York State Environmental Quality Review Act ("SEQRA") under Article 8 of the Environmental Conservation Law; and pursuant to 6 NYCRR Part 617.5 , no further action is required under SEQRA and furthermore the proposed determination as a Type II action by definition, will have no significant environmental impact resulting in a determination of non-significance and therefore a negative declaration is hereby determined for this project, and
2. Pursuant to Section 127-16. B. and 127-17. A. and based upon the attached recommendation from CMS, the Town Board of the Town of Wheatland hereby approves a Special Use Permit for a Modification of the existing wireless telecommunications facility at 1253 Riga-Mumford Road for the modification of existing Wheatland NY T-Mobile 1253 Riga- Mumford Rd MOD 2 as outlined in the application, reviewed by CMS and subject to the approval letter by CMS, dated March 10, 2023.
3. It is further determined that this approval is subject to the following
  - A) That any further approval necessary be reviewed and approved by CMS after this approval but prior to the start of construction; and
  - B) This approval is further subject to the following condition to be reviewed and approved by CMS prior to the issuance of the Certificate of Compliance, that the Applicant shall have sufficient funds in the escrow account with the Town to pay all expenses related to the application review, inspections and the issuance of permits and Certificate of Compliance.

Adopted: Supervisor Dobson – aye  
 Councilman Davis-absent  
 Councilman Hazelton – aye  
 Councilman Schoenthal-absent  
 Councilman Shero – aye

Whereas, it was moved by Supervisor Dobson, seconded by Councilman Shero and unanimously carried,  
Resolution No. 74:

Town Board Resolution of Acceptance  
 Special Permit DISH Wireless COLO

Whereas, the Town Board of the Town of Wheatland has received the attached recommendation from the Center for Municipal Solutions (CMS) dated March 30, 2023, wherein the application materials submitted for the facility of DISH Wireless L.L.C. (DISH Wireless COLO 38801 ) prepared by Michael Gasser on behalf of DISH Wireless, and based upon the review and discussion of all the submitted materials required under the Town of Wheatland Local Law Number 3 of 2003, CMS 's finds that the material submitted has addressed the essential application requirements for a modification to an existing wireless telecommunications facility under the Local Law and CMS's further finding that the application is essentially complete and CMS's recommendation that this application be added to the Town Board's agenda.

Now there be it resolved, based upon the above referenced recommendation,

1. Town Board of the Town of Wheatland determines that this action is classified as a Type II action pursuant to N.Y.C.R.R., Part 617, the implementing regulations of the New York State Environmental Quality Review Act ("SEQRA") under Article 8 of the Environmental Conservation Law; and pursuant to 6 NYCRR Part 617.5 , no further action is required under SEQR and furthermore the proposed determination as a Type II action by definition, will have no significant environmental impact resulting in a determination of non-significance and therefore a negative declaration is hereby determined for this project, and
2. Pursuant to Section 127-16. B. and 127-17. A. and based upon the attached recommendation from CMS, the Town Board of the Town of Wheatland hereby approves a Special Use Permit for a Modification of the existing wireless telecommunications facility at 1253 Riga-Mumford Road/ for the modification of existing Wheatland NY DISH Wireless 1253 Riga Mumford Rd COLO 38801 as outlined in the application, reviewed by CMS and subject to the approval letter by CMS, dated March 30, 2023.
3. It is further determined that this approval is subject to the following
  - A) That any further approval necessary be reviewed and approved by CMS after this approval but prior to the start of construction; and
  - B) The Applicant must submit Insurance documentation for DISH Wireless, per § 24 of Local Law #3 of 2003; and reviewed by CMS for completeness, prior to the issuance of any Building Permit; and
  - C) This approval is further subject to the following condition to be reviewed and approved by CMS prior to the issuance of the Certificate of Compliance, that the Applicant shall have sufficient funds in the escrow account with the Town to pay all expenses related to the application review, inspections and the issuance of permits and Certificate of Compliance.

Adopted: Supervisor Dobson-aye  
 Councilman Davis-absent  
 Councilman Hazelton – aye  
 Councilman Schoenthal-absent  
 Councilman Shero – aye

Whereas, it was moved by Councilman Shero, seconded by Councilman Hazelton and unanimously carried,

Resolution No. 75:

THEREFORE BE IT RESOLVED, That the Town Board of the Town of Wheatland grants approval to the Highway Superintendent to attend Highway School in Ithaca, NY, June 5-7, amount not to exceed \$500.00.

Adopted: Supervisor Dobson-aye  
Councilman Davis-absent  
Councilman Hazelton – aye  
Councilman Schoenthal-absent  
Councilman Shero – aye

Whereas, it was moved by Supervisor Dobson, seconded by Councilman Hazelton and unanimously carried,

Resolution No. 76:

THEREFORE BE IT RESOLVED, That the Town Board of the Town of Wheatland grants approval of a temporary access permit on Baker Road South. Located between house numbers 329 and 411.

Adopted: Supervisor Dobson-aye  
Councilman Davis-absent  
Councilman Hazelton – aye  
Councilman Schoenthal-absent  
Councilman Shero – aye

Whereas, it was moved by Councilman Hazelton, seconded by Councilman Shero and unanimously carried,

Resolution No. 77:

THEREFORE BE IT RESOLVED, That the Town Board of the Town of Wheatland upon the recommendation of the Highway Superintendent grants approval to purchase a 2018 Cat CB10 Steel Drum Vibratory Compactor from Milton Cat Batavia, NY off of the Sourcewell Contract #032119-Cat. Price not to exceed \$83,000.

Adopted: Supervisor Dobson-aye  
Councilman Davis-absent  
Councilman Hazelton – aye  
Councilman Schoenthal-absent  
Councilman Shero – aye

Resolution No. 78:

A RESOLUTION OF THE TOWN OF WHEATLAND ADOPTING THE MONROE COUNTY HAZARD MITIGATION PLAN 2023 UPDATE.

WHEREAS the Wheatland Town Board recognizes the threat that natural hazards pose to people and property within the Town of Wheatland; and

WHEREAS the Wheatland Town Board has prepared a multi-hazard mitigation plan, hereby known as the Monroe County Hazard Mitigation Plan 2023 Update in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS the Monroe County Hazard Mitigation Plan 2023 Update identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in Wheatland from the impacts of future hazards and disasters; and

WHEREAS adoption by the Wheatland Town Board demonstrates their commitment to hazard mitigation and achieving the goals outlined in the Monroe County Hazard Mitigation Plan 2023 Update.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF WHEATLAND NEW YORK, THAT:

Section 1. The Wheatland Town Board adopts the Monroe County Hazard Mitigation Plan 2023 Update. This plan, approved by the community, may be edited or amended after submission for review, but will not require the community to re-adopt any further iterations. This only applies to this specific plan and does not absolve the community from updating the plan in 5 years.

Motion to approve: Councilman Hazelton

Second: Councilman Shero

Adopted: Supervisor Dobson-aye  
Councilman Davis-absent  
Councilman Hazelton – aye  
Councilman Schoenthal-absent  
Councilman Shero – aye

Whereas, it was moved by Councilman Hazelton, seconded by Councilman Shero and unanimously carried,

Resolution No. 79:

THEREFORE BE IT RESOLVED, That the Town Board of the Town of Wheatland authorizes the Supervisor to sign the 2023 Brighton Landscape quote for lawn and bed care at the Municipal Building.

Adopted: Supervisor Dobson-aye  
Councilman Davis-absent  
Councilman Hazelton – aye  
Councilman Schoenthal-absent  
Councilman Shero – aye

Whereas, it was moved by Councilman Shero, seconded by Councilman Hazelton and unanimously carried,

Resolution No. 80.:

THEREFORE BE IT RESOLVED, That the Town Board of the Town of Wheatland authorizes the Advance Payment of Claims. The Budget Officer is authorized by the Town Board, per section 118 of NYS Town Law, to pay in advance of any audit by the Board, the following claims: public utility services, postage, freight and express charges. Claims for these payments shall be presented at the next regular meeting for audit.

Adopted: Supervisor Dobson-aye  
Councilman Davis-absent  
Councilman Hazelton – aye  
Councilman Schoenthal-absent  
Councilman Shero – aye

Shanna Fraser, Recreation Coordinator outlined the 2023 Summer Camp fees and hours.

**Before Care:** \$170 for 7 weeks, \$120 if the child is attending Learning Camp at TJ Connor School and \$30 if they choose to register weekly.

**Summer Camp:** \$400 per child for 7 weeks. If attending Learning Camp T-F 8:30-11:00 (7/5-7/28) it will be \$350 and if registering weekly, it is \$80.

**After Care:** \$300 for 7 weeks or \$60 per week.

Whereas, it was moved by Councilman Shero, seconded by Councilman Hazelton and unanimously carried,

Resolution No. 81.:

THEREFORE BE IT RESOLVED, That the Town Board of the Town of Wheatland grants approval for the Summer Camp fees.

Adopted: Supervisor Dobson-aye  
Councilman Davis-absent  
Councilman Hazelton – aye  
Councilman Schoenthal-absent  
Councilman Shero – aye

Whereas, it was moved by Councilman Hazelton, seconded by Councilman Shero and unanimously carried,

Resolution No. 82. :

THEREFORE BE IT RESOLVED, That the Town Board of the Town of Wheatland grants approval to utilize ARPA funds to pay Costich Engineering for the costs associated with the municipal parking lot improvements and upgrades.

Adopted: Supervisor Dobson-aye  
Councilman Davis-absent  
Councilman Hazelton – aye  
Councilman Schoenthal-absent  
Councilman Shero – aye

Whereas, it was moved by Councilman Shero, seconded by Councilman Hazelton and unanimously carried,

Resolution No. 83. :

THEREFORE BE IT RESOLVED, That the Town Board of the Town of Wheatland grants approval to utilize ARPA funds to pay for the unanticipated water main break in the municipal parking lot, amount not to exceed \$4,300.

Adopted: Supervisor Dobson-aye  
Councilman Davis-absent  
Councilman Hazelton – aye  
Councilman Schoenthal-absent  
Councilman Shero – aye

Whereas, it was moved by Councilman Hazelton, seconded by Councilman Shero and unanimously carried,

Resolution No. 84. :

THEREFORE BE IT RESOLVED, That the Town Board of the Town of Wheatland grants approval to utilize ARPA funds to pay Crosby Brownlie, Inc. for the municipal building heating repair, amount not to exceed \$30,000.

Adopted: Supervisor Dobson-aye  
Councilman Davis-absent  
Councilman Hazelton – aye  
Councilman Schoenthal-absent  
Councilman Shero – aye

Whereas, it was moved by Councilman Hazelton, seconded by Councilman Shero and unanimously carried,

Resolution No. 85. :

THEREFORE BE IT RESOLVED, That the Town Board of the Town of Wheatland adds the One-Day Marriage Officiant License fee of \$25.00 to the Town Clerk's fee schedule.

Adopted: Supervisor Dobson-aye  
Councilman Davis-absent  
Councilman Hazelton – aye  
Councilman Schoenthal-absent  
Councilman Shero – aye

Whereas, it was moved by Councilman Hazelton, seconded by Councilman Shero and unanimously carried,

Resolution No. 86. :

THEREFORE BE IT RESOLVED, That the Town Board of the Town of Wheatland grants approval to the Greater Wheatland Chamber of Commerce to hold a meeting at the Donnelly House with a local business owner.

Adopted: Supervisor Dobson-aye  
Councilman Davis-absent  
Councilman Hazelton – aye  
Councilman Schoenthal-absent  
Councilman Shero – aye

Whereas, it was moved by Councilman Shero, seconded by Councilman Hazelton and unanimously carried,

Resolution No. 87. :

THEREFORE BE IT RESOLVED, That the Town Board of the Town of Wheatland nominates Rick Ven Vertloh to the Monroe County Fisheries Advisory Board.

Adopted: Supervisor Dobson-aye  
 Councilman Davis-absent  
 Councilman Hazelton – aye  
 Councilman Schoenthal-absent  
 Councilman Shero – aye

The Town Board requests that the Town Clerk arrange for the annual mandatory training.

**Additional Agenda Items:**

Whereas, it was moved by Supervisor Dobson, seconded by Councilman Hazelton and unanimously carried,

Resolution No. 88. :

THEREFORE BE IT RESOLVED, That the Town Board of the Town of Wheatland authorizes the Supervisor to sign an agreement with Foundation Design, PC for test borings in the municipal parking lot at a cost of \$5,250.

Adopted: Supervisor Dobson-aye  
 Councilman Davis-absent  
 Councilman Hazelton – aye  
 Councilman Schoenthal-absent  
 Councilman Shero – aye

Supervisor Dobson mentioned to the Board that Michelle Rocha, Court Clerk will be stepping down. Judge Smith has advertised and had quite a few responses. The Judges are conducting interviews and will be hiring two part-time Court Clerks which will allow for more coverage during the week.

**Budget Report:**

Upon a motion of Councilman Hazelton, seconded by Councilman Shero and unanimously carried, the February 2023 Budget Report was approved as submitted by the Budget Officer.

Upon a motion of Councilman Hazelton seconded by Councilman Shero and unanimously carried, the Abstract dated April 4, 2023, with voucher numbers 202300223 through 20230305 in the amount of \$299,031.56 was approved as follows:

<b><u>Fund</u></b>	<b><u>Description</u></b>	<b><u>Amount</u></b>
A	GENERAL FUND A	\$89,590.64
B	GENERAL FUND PART TOWN B	3,190.40
DA	HIGHWAY DA	190,698.81
DB	HIGHWAY FUND DB	2,425.45
	MUMFORD LIGHT	871.31
	MUMFORD REFUSE	5,858.04
	ROLLING ACRES REFUSE	1,497.57
	FAIRVIEW REFUSE	440.49
	NORTHEAST SEWER	2,608.85
	TRUST & AGENCY TA	1,850.00
<b><u>Grand Total:</u></b>		<b><u>\$299,031.56</u></b>

Upon a motion of Councilman Hazelton, seconded by Councilman Shero and unanimously carried, the meeting was adjourned at 7:07 P.M.

Laurie B. Czapranski

Wheatland Town Clerk