

TOWN OF COVERT, SENECA COUNTY
REGULAR TOWN BOARD MEETING
March 13th, 2023

The regular meeting of the Town Board of the Town of Covert was held Monday, March 13, 2023 at 7:00 P.M. at the Town of Covert Municipal Building, 8469 South Main Street, Interlaken, New York.

Roll Call:	Supervisor Michael Reynolds	Present
	Councilwoman Deborah Nottke	Present
	Councilman Bill Bishop	Present
	Councilman Brayton Foster	Present
	Councilman Todd Wyckoff	Present

Others Present: Town Clerk Leslie Adams-Compton, Town Attorney Patrick Morrell, Town Code Enforcement Officer Roger Ward, Deputy Clerk Brian Quan, other interested citizens.

Call to order: Supervisor Reynolds called the meeting to order at 7:00 P.M. All rose for the pledge of allegiance.

Approval of Minutes: Nottke moved, seconded by Wyckoff, to approve the minutes from February 13th, 2023. Aye - Wyckoff, Aye - Nottke, Aye - Bishop and Aye - Foster.

Highway: MacCheyne submitted his Highway Superintendent's report via email: they took the 2022 F-550 back to Tenco for repairs, repaired the 2020 F-250 salt spreader, shortened table chain on 2010 International 10-wheeler, brought 2019 Western Star 10-wheeler home from Tracey's, changed wing and plow blades on 2010 International, and took 3 trucks to Seneca County Highway for inspection. They did plowing, sanding, piled crusher run, did cold patching on all Town roads and regular maintenance on all equipment. They cut leaning trees over West Covert and Burdick Roads.

Town Clerk: Adams-Compton reported that about 100 tax bills remain unpaid. She reported that Kitchen 96, Inc., 9632 State Rte. 96, Trumansburg, has applied with NY State Liquor Authority for a liquor license.

Reynolds opened the floor to Bill Shaw, Town resident/retired attorney/former Town Justice. Shaw said he thoroughly read the Three Falls Certificate of Incorporation of the LDC and Bylaws. He said that it was reasonably well written by the Ulysses and Trumansburg attorneys and there was nothing particularly disturbing. He understands the primary concern of "what are we opening ourselves up to?" and the concern that signing the document could be like writing a blank check. Could the board of 6 people ask for more money? He said it seems not to be a blank check, as the decision will be made by majority vote. He said that nobody can tell you (the Town) what to do. They cannot impose a decision on you. He said that you (the Town) would simply go from being a voting to a non-voting member if member fees were not paid, but would still have a voice at the table and some influence. Then the Town wouldn't lose everything, just have a lesser impact. He said if the cost is voted up in the future, you can just say 'no'.

Shaw said there is no down side to go forward with joining the LDC at the start up. If in the next year, or the next decade, the Board feels the money they are asking is like opening the Town checkbook, they can just say "no". By saying "yes" tonight, the Town will have a seat and votes at the table. He asked the board to look at the big picture: a Legacy, a priceless potential. He said that what the Board does *is* important. He cited other successful parks in the area, such as Cass Park.

Bishop asked Shaw what his part was. Shaw said he's one guy; he has experience with fundraising, grants, user fees, volunteers and not-for-profits. He said we are not saddling the taxpayer; non-profits can be the recipients of foundations and grants.

Bishop said he did not see the path. If three people were asked what the park would consist of, they would have three different answers. He said there has been no proposed budget, a commitment without definition.

Nottke said that's the beauty of it: they have the opportunity to pick what they want to have there. If the Town is on the Board of Directors, they can be part of the decisions.

Foster said that the immediate goal is to prevent Frontenac Point from becoming a residential subdivision. He said he would like an independent board to determine what the park will be for the Public good. Once the corporation is created it is their

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obligation to do something with it. He said that we should join, but if they want more money, we're out. If we join, we have two votes to maintain for some Public purpose. We will have achieved the immediate goal.

The LDC for the Park will happen regardless of whether the Town of Covert joins.

Foster mentioned the proximity of a municipal water well to the property and the requirements for environmental impact statements.

Nottke reminded the Board that NY Parks does not want the park to fail. Even as "class B" members, we have a say.

Shaw said regarding a plan, that they came up with a list a year ago with many ideas, such as geo, kayaking, environmental education, summer rec, fire dept. boat launch. First comes the entity to plan and make those decisions.

Bishop said that the list is good, but somebody will get left out. He said it seems disingenuous to agree to put up the money, and then leave when more money is required. He did not think they should invest the taxpayers' money.

Foster said it will not be an easy task for the LDC. He said it will have to 'learn to fly' on its own. They will have to figure out what they want to do with the property...what will be the most profitable.

Shaw said that parks make a lot of money on users fees. The park services won't be provided for free.

When asked, Morrell said that the other municipalities' attorneys were not interested in changing the Bylaws, as discussed at the last Town Board meeting, at this time. They want to move forward with what they've got and, if need be, can be changed at a later date.

Committees: Foster reiterated that he would like the Board to write a letter of complaint to Hochul and Association of Towns regarding the Property Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Workers. He would like information from the local Fire Departments of how many of our Town firefighters would benefit from the exemption.

Supervisor: Reynolds said he will meeting with an electronic sign rep next week. The Village said they would help finance the new sign for the Town Hall with shared use. The Town had received a S2AY Rural Health grant for \$2500 toward the purchase of a sign.

Reynolds also said that the Court had need of a tv screen during the past month's trial in order to train jurors. They used a small screen computer, but the Town could use a larger screen for Court and video conferencing. Reynolds asked County IT Rob Laprade for suggestions. He said some of ARPA money can be used.

Petitioners: Dick Westbrook asked who put in the new Town Hall heat pump system. Hubbards won the bid at <\$22,000.

Resolutions:

**RESOLUTION #1 OF 2023
Authorizing the Formation of a Local Development Corporation**

WHEREAS, the Towns of Covert and Ulysses, and the Village of Trumansburg (together, the "Municipalities"), have collectively engaged in discussions with the State of New York and the Boy Scouts concerning an opportunity to manage the property known as "Camp Barton" for public recreation and other purposes; and

WHEREAS, in those discussions, the joint creation of a local development corporation to manage Camp Barton was considered, as it would provide, among other things, flexibility and efficiency in management decisions and operations, attorneys for the Municipalities have prepared a draft certificate of incorporation and bylaws that provide a governance structure for a local development corporation, copies of which are incorporated herein as Exhibit "A"; and

WHEREAS, the proposed certificate of incorporation and bylaws have been considered by the Town Board of the Town of Covert; **NOW, THEREFORE**,

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BE IT RESOLVED that the Town Board hereby (1) approves and authorizes the execution and filing of the Certificate of Incorporation of the Three Falls Local Development Corporation, pursuant to New York State Not-for-Profit Law Section 1411; (2) approves and authorizes the execution of the Bylaws of the Three Falls Local Development Corporation; (3) appoints Deborah Nottke and another member to be named as Directors of the Three Falls Local Development Corporation, to serve until December 31, 2023; and (4) that the Town Board approves an initial membership fee of \$10,000, and appropriates such amount from the Unappropriated Fund Balance to pay such fee; and be it further

RESOLVED that the foregoing acts are a Type II action pursuant to the New York State Environmental Quality Review Act; and be it further

RESOLVED that the Supervisor of the Town of Covert is hereby authorized to do all things necessary and appropriate in order to effectuate the foregoing.

RESOLVED that this resolution shall take effect upon either the Town of Ulysses or the Village of Trumansburg approving a resolution substantively authorizing those same acts approved herein.

Nottke moved, seconded by Foster. Aye-Nottke, Aye-Foster, Aye-Reynolds, Nay-Wyckoff, and Nay-Bishop.

**RESOLUTION #2-2023
to Increase Town of Covert Ambulance Service Rates**

Nottke moved, seconded by Wyckoff, to increase Town of Covert Ambulance Service rates as proposed:

- ALS Treat and Release: \$850.00
- BLS Non-Emergency: \$500.00
- BLS Emergency: \$1,050.00
- ALS 1 Non-Emergency: \$950.00
- ALS 1 Emergency: \$1,405.00
- ALS 2: \$1,612.00
- Paramedic Intercept: \$1,200.00
- Specialty Care Transport: \$500.00
- Mileage: \$35.00 per mile
- BLS Treat and Release: \$100.00
- MVA Surcharge for any MVA, including non-transports: \$450.00

Aye-Wyckoff, Aye-Nottke, Aye-Bishop, Aye-Foster.

Foster moved, seconded by Nottke, to reappoint Wil Millard to the Assessment Review Board to expire 9/30/2028.

Aye-Wyckoff, Aye-Nottke, Aye-Bishop, Aye-Foster.

Nottke moved, seconded by Wyckoff, to approve the Supervisor's Income and Expenditure report for the month of February 2023. Aye-Wyckoff, Aye-Nottke, Aye-Bishop, Aye-Foster.

Foster moved, seconded by Bishop, to approve the Highway Superintendent's report for the month of February 2023.

Aye-Wyckoff, Aye-Nottke, Aye-Bishop, Aye-Foster.

Nottke moved, seconded by Wyckoff, to approve Town Clerk/Tax Collector report for the month of February 2023. Town Clerk received a total of \$387.00; \$195.50 was remitted to the Supervisor. Tax Collector received a grand total of \$2,055,104.10 through February '23 with about 100 remaining bills to be paid. Aye-Wyckoff, Aye-Nottke, Aye-Bishop, Aye-Foster.

Nottke moved, seconded by Wyckoff, that Highway Fund Vouchers #33-44 in the amount of \$12,565.31 and General Fund Vouchers #48 - 67 in the amount of \$7964.23 be approved for payment. Aye-Wyckoff, Aye-Nottke, Aye-Bishop, Aye-Foster.

Nottke moved, seconded by Wyckoff, to adjourn the meeting at 8:02 P.M.

Respectfully submitted, Leslie Adams-Compton, Town Clerk