

**TOWN OF COVERT
ORGANIZATIONAL MEETING
AND
MONTHLY BOARD MEETING
7:00 PM ----- JANUARY 8, 2024**

The organizational and regular meeting of the Town Board of the Town of Covert was held Monday, January 8, 2024 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	Absent

Others Present: Town Clerk Leslie Adams-Compton, Highway Superintendent Jeffrey MacCheyne, Town Code Enforcement Officer Roger Ward, Town Attorney Patrick Morrell, Deputy Clerk Brian Quan and 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 Bishop, to approve the minutes from December 11th, 2023 and December 29th Year-end Meeting. Aye-Foster, Aye-Nottke and Aye-Bishop.

Public Hearing: Nottke moved, seconded by Foster, to open the Public Hearing at 7:02 PM for a Variance Request under the Town of Covert's Land Management Ordinance (LMO) for Douglas Boyes and Michelle Hunt, 3714 County Rd 150, Interlaken, Tax Map #06-2-07, to construct a new home where set back from road and lot size are deficient as required under the LMO. The lot is substandard; they will be replacing a house that had been torn down. Four letters were received from neighbors in favor of the project, on file with the Town Clerk. There were no comments. Nottke moved, seconded by Bishop to close the public hearing at 7:03 PM.

Highway: MacCheyne reported that they cleaned the shop, hauled crusher run and 1Bs, mixed salt with 1Bs for winter use, and plowed, sanded and cold patched all town roads. They replaced the block heater on the 2010 10-wheeler, delivered tractor with side flail mower to Lodi for repairs, drained the hydraulic tank and changed filters on 2001 Gradall, which seems to be working, and did regular maintenance on all equipment.

MacCheyne said that the delivery location for the S Frontenac culvert pipe had changed after delayed delivery, but it should be delivered next week and the work should be done in 3-4 weeks.

Nottke said that Three Falls LDC will have a meeting at 9:30 AM tomorrow in Ulysses and all are welcome. They have been working on a draft for the bi-laws. Surveyors have completed a description of the property. She said that the LDC supports the Town of Covert's resolution to request \$20,000 from Seneca County IDA for the LDC 2024 membership fee.

Reynolds said that Nick Joseph wants to build another house on their property which would require a Variance from the Land Management Ordinance.

Reynolds reminded all that the Town Board will audit the Town Books on January 15 beginning at 10 AM.

Reynolds said that he has offered the old Town Hall sign to a few entities but no one has been interested yet.

Morrell commented on the new Three Falls LDC Bi-laws. Morrell said that it was updated as of 4 PM that day. Morrell said that the LDC is a public entity, a separate corporation from the towns and village board, but it is still a municipal entity, subject to municipal requirements. He said there was nothing surprising in it: it still requires membership dues paid or no voting member privilege the following year. Nottke said it was still in process and Carrie would take suggestions and make a new draft.

Nottke asked regarding the easement for the Frontenac Bridge. Morrell said they are working on it. He said that the

**TOWN OF COVERT
ORGANIZATIONAL MEETING
AND
MONTHLY BOARD MEETING
7:00 PM ----- JANUARY 8, 2024**

bridge property is still an easement and will not be transferred; the bridge will be set on top of the property; it is basically an easement to occupy.

Morrell said the process is continuing for the environmental impact statement on the Persoon's proposed solar farm. Neither Morrell nor Reynolds had spoken with Jason McCormick yet.

Morrell reported that in the Shaw assessment challenge, they had come to an agreement that will be presented to the court.

Regarding the cannabis applications within the Town, Morrell said the Town has opted out and can opt in at any time. Foster asked if they are obligated to vote on the two applications. Morrell said 'no'. Foster said he voted to opt out on cannabis dispensaries before, he is waiting for more information, but he hasn't seen anything to change his mind. He said it is only speculative what will happen, at this point.

Petitioners: Jim Borden, Interlaken Fire Chief, was asked to speak representing their 8-9 members from Covert, regarding the Firefighters exemption. He said that South Seneca School and the County had adopted the exemption and he thought it would benefit him and others if the Town adopted the exemption as well.

Borden spoke about recruitment being terrible and the need for benefits. The exemption is for 10% assessment for 5 year homeowners, with 5 years of active service to qualify. The \$200 income tax credit remains in effect through 2024. Assessor Anna Morgan advised that with the school adopting the exemption, it may be worthwhile. Foster believed that initially when our assessors generated the numbers, it would only benefit homeowners with 4 million dollar homes. Borden said with the compounded tax relief, it should be a better deal. Borden asked for the option to let the members decide. One may take the \$200, the other the exemption. Foster said the facts should be verified before the public hearing.

Henry Zomerfeld, representing New Leaf, said he will plan to address questions regarding the Persoon's proposed solar farm and the land use at the Public Hearing on March 4th. Nottke asked if the property lease can be re-sold to someone else with the sale of the property. Will Nieves, New Leaf, said yes, the lease will transfer to the owner/operator. Foster expressed his concern with the safety issues being so close to the school.

Zomerfeld asked for a list or letter, in writing, so they can address these questions in one fell swoop. Morrell suggested concerns be addressed to the engineers, and that emails sent to enter into public record.

Rob Schoffel said that the Planning Board did not favor the project as it is a massive deviation from the LMO, being a size more than 500 times the allowed kW. He said they do not know anything about something that large scale, but asked the Seneca County Planning Board to look at the 100s/page application/plan: the County said it looked okay to them. He said it would set a precedent. He suggested they could change the LMO if something like this is to be allowed.

Foster said that the Town has a long history of not wanting commercial development and the Board's focus on the impacts to the community and the flip-side of generating a tax base. He said that, included in the elements of the application, should be what's in it for the town, such as royalties, ie. gas well, and covering costs to the Town.

Barry Ford said this is why Towns consider having a comprehensive plan. It will be hard to say 'no' when precedent is set allowing big industry in.

Ben Guthrie said that in 24 years, it's obsolete, and can the posts be pulled up? There was discussion about decommissioning, and NYSERDA's plan. Guthrie mentioned that dumps and tire reclamation are permanent.

**TOWN OF COVERT
ORGANIZATIONAL MEETING
AND
MONTHLY BOARD MEETING
7:00 PM ----- JANUARY 8, 2024**

Foster said that he thinks the sentiment has been that we don't want commercial scale development, but if that has changed, they should realize that.

ORGANIZATONAL

- 1) That for the year 2024 the Town Board sets 67 cents per mile reimbursement as mileage allowance for personal vehicles used by Town Officers while performing official duties other than attendance at Town Board Meetings or Town Court Proceedings.
- 2) To authorize that Community Bank, N.A., Ovid Branch, be designated the official bank of the Town of Covert and the Supervisor be authorized to invest town monies consistent with the requirements of New York State and with appropriate consideration given to elements of safety, liquidity and yield.
- 3) To authorize that Five Star Bank, Ovid Branch, be designated the official bank of Town Justice Schmidt.
- 4) To authorize Highway Superintendent MacCheyne to spend up to \$1000.00 per purchase to acquire equipment, tools, and implements and \$1,500.00 for repairs during 2024 without prior approval of the Town Board.
- 5) To designate the Interlaken Review as the official newspaper of the Town of Covert for the year 2024.
- 6) To appoint Jamie Vangalio as Dog Control Officer at the budgeted Salary and 67 cents per mile to Beverly Animal Shelter for the year 2024. A \$25.00 per day fee for each dog will be charged to the owner upon redemption of impounded dog from Beverly Animal Shelter.
- 7) To appoint Roger Ward as Code Enforcement Officer at the budgeted Salary and 67 cents per mile for the year 2024.
- 8) To appoint John Hunt as cleaner to the Town of Covert Municipal Building, at the wage of \$18.54 per hour for the year 2024.
- 9) To allow Supervisor Reynolds to file his 2023 annual report with the Town Clerk by the same date and in the same matter as Annual Report is required to be filed with the State Comptroller. Such authorization is allowed by Town Law Section 29 (10a).
- 10) That the salaries of all elected and appointed officers shall be the amount indicated by the currently effective resolution or the amount budgeted in the 2024 budget. The Highway Superintendent shall set wages of hourly highway employees with concurrence by the Town Board, within the limits of the Highway Budget. Payment of salaries and wages shall be at times and dates that are legally permissible and mutually acceptable to the Supervisor and the recipients.
- 11) The Personnel Policy and Procedures Handbook were reviewed with the updated NYMIR Policy Against Discrimination and Harassment.

**TOWN OF COVERT
ORGANIZATIONAL MEETING
AND
MONTHLY BOARD MEETING
7:00 PM ----- JANUARY 8, 2024**

APPOINTMENTS BY ELECTED OFFICIALS

Highway Superintendent MacCheyne appoints Glenn Boyes as Deputy Highway Superintendent for 2024.

Town Clerk appoints Brian Quan as Deputy Town Clerk, Registrar of Vital Statistics, and Tax Collector. Wage shall be \$22.22 per hour.

Town Justice Eileen Schmidt appoints Lucille Smith as Clerk to the Town Justice. Wage shall be \$22.22 per hour.

Supervisor Reynolds makes the following appointments for 2024:

Bookkeeper and Secretary to the Supervisor – Nancy Swartwood

Budget Officer -- Michael Reynolds

Deputy Supervisor -- Deborah Nottke

Town Assessment Committee – Michael Reynolds and Brayton Foster

Historian for the Town – John Hunt

Highway Committee -- Bill Bishop, Chairman and Brayton Foster

Courts, Ordinances & Law Enforcement –Brayton Foster, Chairman and Bill Bishop

Utilities & Insurance – Bill Bishop, Chairman and Deborah Nottke

Personnel – Deborah Nottke, Chairwoman and Todd Wyckoff

Buildings and Grounds--Bill Bishop, Chairman and Todd Wyckoff

Fire and Ambulance –Deborah Nottke, Chairwoman, Todd Wyckoff and Michael G. Reynolds

Planning and Land Management Ordinance- Brayton Foster, Chairman and Todd Wyckoff

Any appointments which may have been overlooked shall continue to be filled by the incumbent subject to review by the appropriate appointing authority.

Nottke moved, seconded by Foster. Aye-Bishop, Aye-Foster, Aye-Nottke, Aye-Reynolds.

**TOWN OF COVERT
ORGANIZATIONAL MEETING
AND
MONTHLY BOARD MEETING
7:00 PM ----- JANUARY 8, 2024**

RETURN TO THE REGULAR TOWN BOARD MEETING

Resolutions:

Nottke moved, Seconded by Foster, to approve the Variance Request for Douglas Boyes and Michelle Hunt, 3714 County Rd 150, Interlaken, Tax Map #06-2-07, to construct a new home where set back from road and lot size are deficient as required under the Land Management Ordinance.

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

Nottke moved, seconded by Foster, to refer the Variance Request for Nick Joseph, 4330 E Covert Rd, Interlaken, NY, to construct a third dwelling where there is a limit of one dwelling structure per parcel allowed under the Land Management Ordinance to the Planning Board on January 25th, 2024 at 7 PM and schedule a Public Hearing for February 12th, 2024 at 7 PM. Aye-Nottke, Aye-Bishop, Aye-Foster.

Nottke moved, seconded by Foster, to approve the 2024 Beverly Animal Shelter Agreement. Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Foster, to approve revisions to the Personnel Policy with replacement of Policy Against Discrimination and Harassment with updated 2023 version. Aye-Nottke, Aye-Bishop and Aye-Foster.

Foster moved, seconded by Bishop, to re-appoint Deborah Nottke and William Shaw as member Directors of the Three Falls Local Development Corporation representing the Town of Covert. Aye-Bishop, Aye-Reynolds, and Aye-Foster.

Foster moved, seconded by Nottke, to schedule a Public Hearing for a Local Law for Volunteer Firefighters' exemption pursuant to RPTL § 466-a on Monday, February 12, 2024 at 7 PM. Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Bishop, to declare the old Town Hall sign as surplus. Aye-Nottke, Aye-Bishop and Aye-Foster.

Foster moved, seconded by Nottke, to approve the Highway Superintendent's report for the month of December 2023. Aye Nottke, Aye-Foster and Aye-Bishop.

Nottke moved, seconded by Bishop, to approve the Town Clerk's report for the month of December 2023. A total of \$392.00 was received and \$185.00 was remitted to the Supervisor for the month of December 2023. Aye-Bishop, Aye-Nottke and Aye-Foster.

Nottke moved, seconded by Foster, to approve Code Enforcement Officer's report for the month of December 2023. Aye Nottke, Aye-Foster and Aye-Bishop.

Nottke moved, seconded by Bishop, that Highway Fund Vouchers #1-9 in the amount of \$34,336.97 and General Fund Vouchers # 1-18 in the amount \$120,521.52 be approved for payment. Aye-Foster, Aye-Nottke, Aye-Bishop.

Nottke moved, seconded by Bishop, to adjourn the meeting at 8:17 p.m.

Respectfully submitted,

Leslie Adams-Compton, Town Clerk