

**TOWN OF COVERT
PUBLIC HEARING,
ORGANIZATIONAL MEETING,
MONTHLY BOARD MEETING
7:00 PM ----- JANUARY 13, 2025**

The Public Hearing, organizational and regular meeting of the Town Board of the Town of Covert was held Monday, January 13, 2025 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, Highway Superintendent Jeffrey MacCheyne, Town Attorney Patrick Morrell, Deputy Clerk Brian Quan and other interested citizens.

Call to order: Supervisor Reynolds called the meeting to order at 7:02 p.m. All rose for the pledge of allegiance.

Approval of Minutes: Nottke moved, seconded by Wyckoff, to approve the minutes from December 9th and December 30th, 2024 Year-end Meeting. Aye-Foster, Aye-Wyckoff, Aye-Nottke and Aye-Bishop.

ORGANIZATONAL

- 1) Nottke moved, seconded by Wyckoff that for the year 2025 the Town Board sets 70 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) Nottke moved, seconded by Foster, 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) Nottke moved, seconded by Foster, to authorize that Five Star Bank, Ovid Branch, be designated the official bank of Town Justice Schmidt.
- 4) Nottke moved, seconded by Foster, 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 2025 without prior approval of the Town Board.
- 5) Nottke moved, seconded by Wyckoff, to designate the Interlaken Review as the official newspaper of the Town of Covert for the year 2025.
- 6) Nottke moved, seconded by Wyckoff, to appoint April Moore as Dog Control Officer at the budgeted Salary and 70 cents per mile to Beverly Animal Shelter for the year 2025. 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) Nottke moved, seconded by Foster, to appoint Roger Ward as Code Enforcement Officer at the budgeted Salary and 70 cents per mile for the year 2025.
- 8) Nottke moved, seconded by Foster, to appoint John Hunt as cleaner to the Town of Covert Municipal Building, at the wage of \$19.10 per hour for the year 2025.
- 9) Nottke moved, seconded by Wyckoff, to allow Supervisor Reynolds to file his 2024 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) Nottke moved, seconded by Wyckoff, that the salaries of all elected and appointed officers shall be the

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amount indicated by the currently effective resolution or the amount budgeted in the 2025 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 with the addition of FOIL Policy were reviewed.

APPOINTMENTS BY ELECTED OFFICIALS

Highway Superintendent MacCheyne appoints Glenn Boyes as Deputy Highway Superintendent for 2025.

Town Clerk appoints Brian Quan as Deputy Town Clerk, Registrar of Vital Statistics, and Tax Collector. Wage shall be \$22.89 per hour.

Town Justice Eileen Schmidt appoints Lucille Smith as Clerk to the Town Justice. Wage shall be \$22.89 per hour.

Supervisor Reynolds makes the following appointments for 2025:

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 – Chelsea Hastings

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-Wyckoff.

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RETURN TO THE REGULAR TOWN BOARD MEETING

Public Hearing: Foster moved, seconded by Nottke, to open the Public Hearing at 7:12 PM for a Variance Request under the Town of Covert's Land Management Ordinance (LMO) for John Myer, 8451 Bergen Beach Rd, Interlaken, Tax Map #06-2-59.1, to construct/replace with a new residential building where set back from side boundary is deficient and where there is a limit of one dwelling structure per parcel as required under the Town of Covert LMO. Reynolds said that Myers is tearing down one cottage over the property line and building a new one 5' from the property line. The Planning Board thought it was an improvement over the present situation and recommended approval. Morrell recommended the Public Hearing continue to next month, as there were no representatives in attendance. Nottke moved, seconded by Foster, to close the public hearing at 7:14 PM.

Katherine Sender was introduced as one interested in serving on the Three Falls LDC member board. Sender is currently a member of the Planning Board. Sender said she would love to be part of the decision making that goes into what happens with the park and has been involved and aware of the process since the property went on the market. Sender feels very committed to keeping Lake access to the public and stewarding the flora and fauna. Sender is aware of the concern for taxes going up and she would help in the raising of funds, representing the Town of Covert residents for the relief of tax burdens.

Highway: MacCheyne reported on the activities for the month of December. They plowed, sanded, mowed with Seneca County's boom mower, and removed beaver dams on Stout and Halls Corners Road. Part of the exhaust on 2019 Western Star 10-wheeler was replaced, rear of flail mower was cleaned and painted, miniature spreader on pickup had electrical issues, cutting edges on #1 and #3 plows and wings were replaced, airbags were installed on pickup to carry new sander, sander was picked up, and regular maintenance on all equipment was done.

MacCheyne mentioned that it would cost up to \$4K/month to rent a boom mower.

A permit from DEC was applied for but the beavers didn't show up. Another permit is needed for the other side of the road.

The WQIP grant was awarded to the Town for a new salt barn but it is unclear how much money is allocated for the project.

Regarding the Frontenac Bridge, Vector and Seneca County plan to have consistent meetings, possibly starting next month.

The new FOIL Policy was discussed. Morrell recommended that the Access Officer be the Town Clerk and delegated from the Town Clerk's office for simplicity's sake and appeals directed to the Town Board.

Committees:

Nottke thanked Bill Shaw for all his effort as member representative on the Three Falls LDC.

When asked about the success of the Christmas trees sale for the Fire Dept, Ralph Bailey said they broke even.

Reynolds said that ENPM would like to do another Revaluation Info Meeting on Wednesday, February 26th at 6 PM. He will double check with the assessors to confirm.

Reynolds said the Town could get 2/4 million additional liability insurance for \$715/year. He will get more information

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on what it covers. He thinks the money can be found in the budget.

Reynolds said that Seneca Meadows can give \$1000 toward the Town's membership in the Three Falls LDC. About \$3800 is still needed for 2024 dues.

Reynolds reminded all that the Town Board will audit the Town Books on January 20 beginning at 8 AM.

Petitioners: John Hubbard, Lake View Cemetery, shared an update on the cemetery's needs since Yvonne Williams, president, is retired as of March 1 and he is stepping down from the board. He said that Yvonne had done 75% of the mowing. Nobody is volunteering at this point. They have \$60K of discretionary funds. He said it would disappear very quickly. Depending on what the Town decides to do, it looks like they will have to bid out the mowing/weed-eating/property maintenance this year. Additional expenses will be coming along. The annual meeting is at the beginning of March.

He said that last year NYS came up with a grant for replacing foundations. Last year they received a grant for replacing 36 monuments with new foundations at no expense to them. This year they applied for another \$52K. They hope to hear in March. They plan another spaghetti fundraiser in April, split with the Masons. He asked for the Town Board's thoughts and invited board members to be part of the cemetery board.

Reynolds said that with a trailer, the Town could help open/close graves with its mini-excavator. The cost for this process is around \$500.

Foster asked if the cemetery committee would make it through this year if the Town cannot help. Hubbard said yes, but they would want to have money in reserve. They are also looking for 3 new members.

Resolutions:

Bishop moved, seconded by Foster, to authorize the Town of Covert Highway Department to do any work needed at the Lakeview Cemetery at the discretion of the Highway Superintendent. Aye-Nottke, Aye-Wyckoff, Aye-Bishop and Aye-Foster.

Resolution # 1-2025

Resolution Designating Authorized Representative for Three Falls Local Development Corporation

WHEREAS, the Towns of Covert and Ulysses and the Village of Trumansburg, having collectively engaged in discussions with the State of New York and the Boy Scouts concerning an opportunity to manage certain real property known as Camp Barton (the "**Park Premises**") for public recreation and other purposes, determined to jointly form a local development corporation to take possession of and manage the Park Premises; and

WHEREAS, the Board of Trustees of the Town of Covert, having considered the proposed certificate of incorporation and bylaws of the Three Falls Local Development Corporation (the "**Park Corporation**"), approved the execution and filing of the certificate of incorporation and the adoption of said bylaws (the "**By-laws**") on February 13, 2023, which certificate of incorporation was filed with the Department of State on March 17, 2023 and By-laws are in full force and effect; and

WHEREAS, the Town of Covert, together with the Town of Ulysses and the Village of Trumansburg, is a Voting Member of the Park Corporation, as such term is defined in the By-laws; and

WHEREAS, pursuant to Section 3.07 of the Corporate By-Laws, the Voting Members, must approve, *inter alia*, any transaction involving the purchase, lease, license, exchange or other acquisition by the Park Corporation of any assets; and

WHEREAS, the Park Corporation is currently negotiating a certain municipal park management agreement by and between the Three Falls Local Development Corporation and the New York Office of Parks, Recreation and Historical Preservation (the "**Park Management Agreement**"), which Park Management Agreement is the contractual vehicle by which the Park Corporation will acquire possession of the Park Premises, and which must be approved by the Voting Members in accordance with Section 3.07 of the Corporate By-laws of the Park Corporation.

NOW BE IT

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RESOLVED, that Deborah Nottke and Katherine Sender (the "**Authorized Representatives**") are hereby authorized and empowered to vote in the name of and on behalf of the Town of Covert as a Voting Member of the Park Corporation for purposes of approving the Park Management Agreement without additional approval of the Town Board of the Town of Covert. Nottke moved, seconded by Foster. Aye-Nottke, Aye-Wyckoff, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Bishop, to approve the 2025 Beverly Animal Shelter Agreement. Aye-Nottke, Aye-Wyckoff, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Wyckoff, revision to the Personnel Policy and Procedures Handbook with the addition of Town of Covert F.O.I.L. Policy as follows:

Town of Covert Freedom of Information Law Policy

REGULATIONS ESTABLISHING THE RULES AND PROCEDURES GOVERNING PUBLIC ACCESS TO RECORDS OF THE TOWN OF COVERT AND ITS AUTHORIZED AGENCIES

Pursuant to the provisions of Section 88 and Section 87 Subsection 6 of the Public Officers Law, the following regulations are hereby adopted establishing the rules and procedures governing the public access to records of the Town of Covert and its authorized agencies:

CONTENTS BY SECTION

1. Purpose
2. Definitions
3. Procedure for obtaining records
4. List of records
5. Fees
6. Prevention of invasions of privacy
7. Grant or denial of access to records
8. Appeals
9. Effective date

SECTION 1 - Purpose

The purpose of this policy is to set forth the methods and procedures governing the availability, location and nature of those records of the Town of Covert and its authorized departments subject to the provisions of Article 6 of the Public Officers Law, known as the Freedom of Information Law.

SECTION 2 - Definitions

For the purpose of this policy:

Record: any information kept, filed, held, produced, or reproduced by, with or for the Town of Covert or its authorized departments, in any physical form whatever including, but not limited to, reports, statements, examinations, memoranda, opinions, folders, files books, manuals, pamphlets, forms, papers, designs, drawings, maps, photos, letters, microfilm, recordings, rules, regulations or codes;

Payroll record: an itemized record setting forth the name, business address, title and salary of every officer and employee of the Town of Covert or its authorized departments;

Chief Fiscal Officer: Town Supervisor or his/her authorized representatives.

SECTION 3 - Procedure for Obtaining Records

The Town officers listed below, or their authorized representatives, are hereby designated as Records Access Officers for their respective departments and shall be the custodian of such records, excepting payroll records.

DEPARTMENT: RECORDS ACCESS OFFICER

Town Supervisor: Town Clerk

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Chief Fiscal Officer: Town Clerk
Buildings & Grounds: Town Clerk
Code Enforcement: Town Clerk
Vital Statistics: Town Clerk
Administration: Town Clerk
Town Attorney: Town Clerk
Town Clerk: Town Clerk
Ambulance Services: Town Clerk
Interlaken Fire Department: PO Box 274, Interlaken, NY 14847; Fire Chief
Trumansburg Fire Department: 74 W Main, Trumansburg, NY 14886; Fire Chief
Historian: Town Clerk
Dog Licensing: Town Clerk
Information Technology: Town Clerk
Parks: Town Clerk
Personnel/Civil Service: Town Clerk
Planning: Town Clerk
Town Court: Court Clerk
Highway Department: Town Clerk
Assessment Department: Town Clerk
Tax Collector: Town Clerk

ADDRESS

PO Box 265, 8469 S Main St Interlaken, NY 14847

Any person who wishes to inspect or obtain a copy of any such record may request access to the record by making application to the Records Access Officer. Such application shall be in writing and shall reasonably describe the record or records sought. The Records Access Officer is required to provide written notice to an employee in the event a request is made for employee disciplinary records. Whenever possible a person requesting records shall supply information that may help to describe the records sought. Application forms may be obtained from the Records Access Officer at the office of the Town Clerk, or by email.

Requests for access to records may be submitted to the Town Clerk's office in person Tuesday - Friday between the hours of 10:00 a.m. and 5:00 p.m., by email, or by mail, addressed to such office or to such other officer as the Records Access Officer may specify. Within five (5) working days of receipt of a request, the Records Access Officer shall cause a search to be made for the requested record and will take one of the following courses of action:

1. Make the record available (and, if so requested and upon payment of the appropriate fee, shall make and certify a copy of the record);
2. Deny the request as provided in Section 7 of this regulation providing the reason, sending a copy of such denial to the office of the Town Attorney;
3. State that the record is not in the custody of the agency if appropriate;
4. State that the record cannot be located after diligent search if that is the case; or
5. Furnish an acknowledgment of receipt of the request and provide an approximate date for reply. If documents which are responsive to the request cannot be provided within twenty (20) days, another reply must be sent stating:

* The reason why the documents were not provided within the twenty-day period, and

* A specific date as to when the request will be answered. Such time period must be reasonable in light of the size of the request, time to search, etc.

The Records Access Officer, in his/her discretion, may waive compliance with any formality prescribed by this subdivision, including the use of application forms.

The Chief Fiscal Officer shall be the Town Supervisor. Any persons wishing to inspect and/or obtain a copy of any payroll record may make application to the Chief Fiscal Officer in writing pursuant to the provisions of Section 3, subparagraph (B) of this regulation to the Chief Fiscal Officer, PO Box 265, Interlaken, New York 14847. Upon receipt of such an application, the Chief Fiscal Officer shall cause the Bookkeeper to the Supervisor to search for and produce for inspection the payroll record. If the applicant requests a copy of such payroll record, the Chief Fiscal Officer shall provide him with one after payment of the appropriate fee.

SECTION 4 - Subject Matter List

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On behalf of the Town of Covert, the Records Access Officer of each department shall maintain and make available for inspection a current list, reasonably detailed by subject matter, of all records in the possession of the department, whether or not available under Article 6 of the Public Officers Law. Such list shall be in conformity with such regulations as may be promulgated by the Committee on Public Access to Records. Any person desiring a copy of such list may request a copy thereof personally, by email or by mail and he shall be supplied with one copy .

Each Records Access Officer shall maintain:

1. A record of the final vote of each member in every department proceeding in which the member votes;
2. A record setting forth the name, public office address, title and salary of every officer or employee of the department, and;
3. A reasonably detailed current list by subject matter, of all records in the possession of the department whether or not available under this article.

SECTION 5 - Fees

The fees for copies of records shall not exceed twenty-five cents (\$.25) per photocopy not in excess of 8.5 inches by 14 inches, or the actual cost of reproducing any other record except when a different fee is otherwise prescribed by law or pursuant to such general rules and regulations as may be promulgated by the committee on public access to records in conformity with the provisions of Article 6 of the Public Officers Law. Payment of fees must be made before copies are made or materials are provided.

SECTION 6 Requests for Employee Disciplinary Records

Requests for access to employee disciplinary records shall be made known to the employee by written notification provided to the employee at his/her last known physical or email address by the departmental Records Access Officer. The written notification to the employee shall include the name of the person or entity making the request.

SECTION 7 - Prevention of Invasions of Privacy

In accordance with the provisions of subdivision 3 of section 88 of the Public Officers Law and in conformity with such guidelines as may be promulgated by the Committee on Public Access to Records regarding the prevention of unwarranted invasions of personal privacy, the Records Access Officer may delete from any record identifying details the disclosure of which would result in an unwarranted invasion of personal privacy prior to making such record available for inspection and/or copying. In the event that one or more deletion is so made from any document, the Records Access Officer shall provide written notice of that fact to the person given access to the record. If the record is such that the personal matters cannot be fully deleted without substantially affecting the record of the identifying details cannot be effectively deleted, the Records Access Officer shall deny access to such record as provided in section 7 of this regulation.

SECTION 8 - Grant or Denial of Access to Records

Each Records Access Officer shall, in accordance with these regulations, make available for public inspection and copying all records, except that such department may deny access to records or portions thereof that:

1. are specifically exempted from disclosure by state or federal statute;
2. if disclosed would constitute an unwarranted invasion of personal privacy under the provisions of subdivision two of section 89 of Article 6 of the Public Officers Law of New York State;
3. if disclosed would impair present or imminent contract awards or collective bargaining negotiations;
4. are trade secrets or are maintained for the regulation of commercial enterprise which if disclosed would cause substantial injury to the competitive position of the subject enterprises;
5. are compiled for law enforcement purposes and which, if disclosed, would:
 - a. interfere with law enforcement investigations or judicial proceedings
 - b. deprive a person of a right to a fair trial or impartial adjudication;
 - c. identify a confidential source or disclose confidential information relating to a criminal investigation; or
 - d. reveal criminal investigative techniques or procedures, except routine techniques and procedures
6. if disclosed would endanger the life or safety of any person;
7. are inter-departmental or intra-departmental materials; which are not:
 - a. statistical or factual tabulations or data; or
 - b. instructions to staff that affect the public, or
 - c. final agency policy or determinations.

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8. are examination questions or answers which are requested prior to the final administration of such questions.

SECTION 9 - Appeal

Any person whose application to inspect and/or copy records has been denied pursuant to section 7 of this regulation may appeal such denial to the Town Board of the Town of Covert.

Such appeal shall be in writing and must set forth: the name and address of the applicant; the specific record(s) requested; the date of denial; and the reasons given for such denial. The Appeals Officer shall, upon receipt of a written appeal, immediately review the matter and affirm, modify or reverse the denial. If the Appeals Officer affirms or modifies the denial, he shall, within 7 days of receipt of the appeal: (1) communicate his reason for such affirmation or modification to the person making the appeal; and (2) inform such person of his right to appeal such affirmation or modification under Article 78 of the Civil Practice Law and Rules.

SECTION 10 - Effective Date

This policy shall become effective upon passage by the Town of Covert Town Board.

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

Nottke moved, seconded by Foster, to approve the 2024 budget modifications as presented. Aye Nottke, Aye-Wyckoff, Aye-Foster and Aye-Bishop.

CREDIT			
A1110.4	193.12	Justice Cont	
A1355.4	62.5	Assess Cont	
A1410.11	742.15	Duty Clerk	
A1410.4	47.79	Tclerk Cont	
A1620.41	271.02	Bldg utility	
A1620.43	92.39	bldg fuel	
A1650.4	619.93	cent comm	
A4540.4	104	ambo cont	
A5010.4	31.25	Hwy sup cont	
A5132.41	151.83	Hwy gar utility	
A9060.8	2858.79	Med ins	
	5174.77		
OFFSET			
DEBIT			
A1110.11	1662.61		
A1220.1	0.04		
A1320.1	0.12		
A1330.4	150.47		
A1410.1	0.18		
A1420.1	0.01		
A1650.41	750.36		
A1989.4	1858.94		
A5010.1	145.88		
A9030.8	606.13		
	5174.74		

DEBIT			
Record Unexpected Cash			
A2680	8551.96	Ins recovery	
A2770	3740	Misc revenue	
A1255	584.28	Clerk fees	Used some of
A3089	597.69	Timber	these excess \$
OFFSET			
CREDIT			
A1989.4	13473.93		

Nottke moved, seconded by Foster, to approve the Highway Superintendent's report for the month of December 2024. Aye-Wyckoff, Aye-Nottke, Aye-Bishop and Aye-Foster.

Nottke moved, seconded by Bishop, to approve the Town Clerk/Tax Collector report for the month of December 2024. Town Clerk received total of \$338.00 and \$100.83 was remitted to the Supervisor for the month of December 2024. Tax Collector had remitted \$400,000 to date. Aye-Bishop, Aye-Wyckoff, Aye-Nottke and Aye-Foster.

Nottke moved, seconded by Wyckoff, that Highway Fund Vouchers #1-14 in the amount of \$30,197.88 and General Fund Vouchers # 1-28 in the amount \$194,633.73 be approved for payment. Aye-Foster, Aye-Nottke, Aye-Bishop.

Nottke moved, seconded by Wyckoff, to adjourn the meeting at 8:24 p.m.

Respectfully submitted,

Leslie Adams-Compton, Town Clerk